THE GAZETTEER

OF

BOMBAY CITY and ISLAND.

Volume II.

(COMPILED UNDER GOVERNMENT ORDERS.)

Price Rs. 6, or 8 Shillings.

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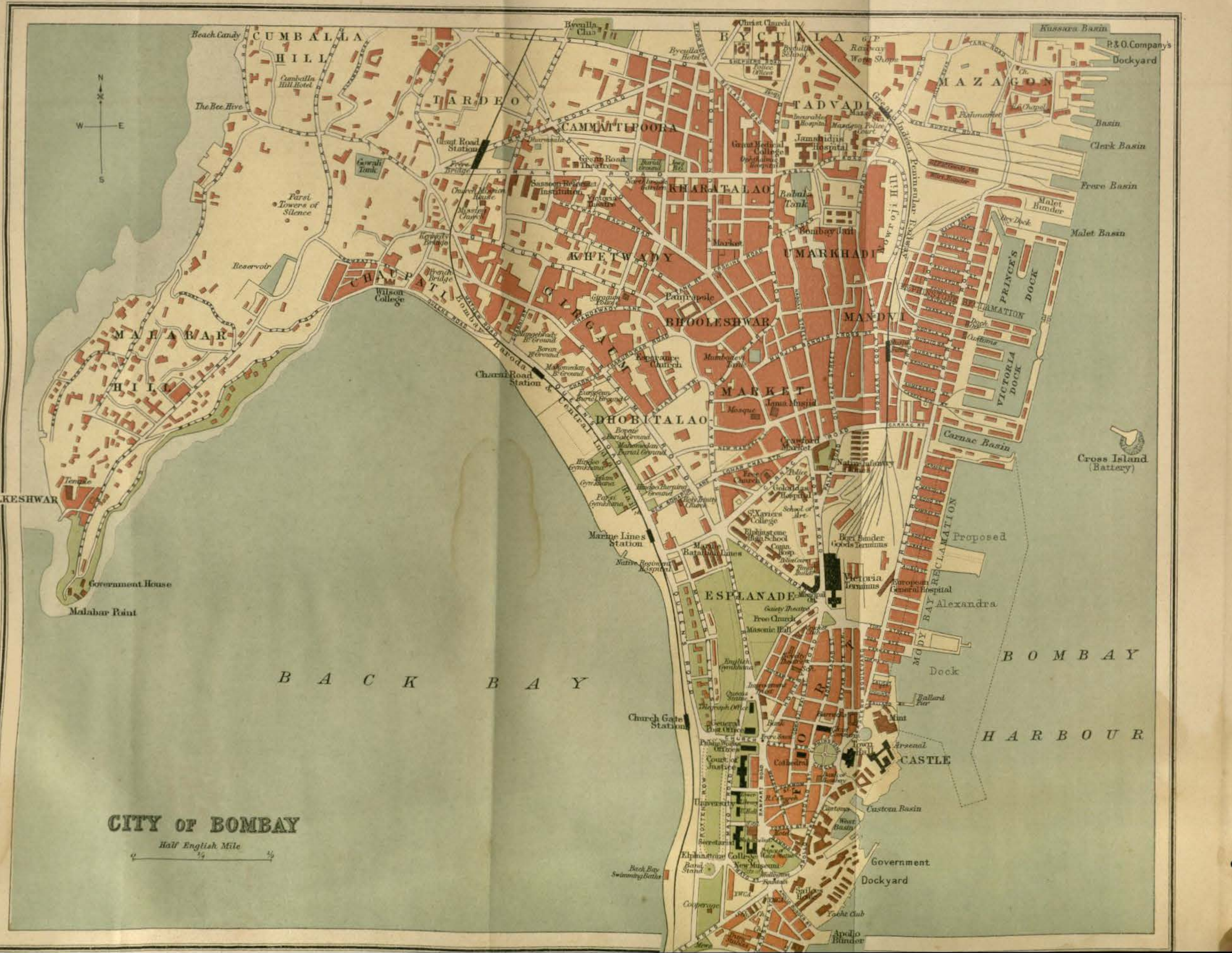
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BOMBAY CITY GAZETTEER.

CHAPTER VI.

HISTORY.

The Hindu Period.*

From the very birth of time the strip of coast land, in the middle of which lies the island of Bombay, has been the gathering-ground of various races and civilizations : and ever since the dim days when the first shipmaster launched his frail bark upon the waters of Ocean, the trade between Western India, Babylon and Egypt has been monopolized in turn by invaders from the north (Gujarat), from the East (Deccan and Telingana) and from the South (Carnatic), and has allured strangers from three continents to these shores. One after another the famous ports of Supara, Bassein, Thana, Kalyan, Chaul and Janjira have risen, flourished and decayed; and swarm after swarm of immigrants from all parts of India and the world have mixed the population to an almost inconceivable extent and left to Ethnology and Anthropology a riddle which so far they have been powerless adequately to solve.

When man first made his home in the cluster of seven small islets, which have been welded into the modern island of Bombay, he was yet in the Stone Age; for along the shore of Back Bay[1] and in Kolaba District on the further side of the harbour[2] the anthropologist has discovered flint tools similar to those once used by the cave-men of Europe. Their makers doubtless earned a subsistence by fishing in the shallow waters which encompassed the islets and by hunting in the jungles of khair (*Acacia catechu*) trees which formely shrouded the face of the land[3]. Whence they came and from what race

* This chapter has been supplied by Mr. A. M. T. Jackson, I.C.S.

1 Journ. Bom. Anthrop. Soc., II.

2 Journ. Bom. Anthrop. Soc., III.

3 A petrified khair forest was discovered while excavating the foundation of Prince's Dock. It lay 32 feet below high water mark, and consisted of 382 trees, 223 standing erect and 159 prostrate, though still rooted in the soil. They were imbedded in a decayed trap-rock soil, overlaid by the thick clay-stratum which forms the real bottom of the harbour. Among the trees, one was recumbent, charred in the middle but bore no trace of having been cut down by any tool.—Edwardes' Rise of Bombay.

they were sprung, none can truly tell; but in all probability they hailed from the south,[1] slowly migrating along the coast and forming settlements here and there in the river bottoms. From the south also came the most notable feature of the Bombay landscape,—the cocoa-nut palm (*Cocos nucifera*), which seems to have reached India from the Malay country by way of Ceylon: and as a Nasik inscription[2] proves that it was grown on a large scale in the north of Thana by the second century of the Christian era, it is in nowise hazardous to date its first arrival in the Konkan some centuries earlier. With it probably came the Bhandaris from the Ratnagiri coast. But older than the cocoa-nut palm, older than the Bhandari palm-tapper are the Koli fishing-folk of Bombay, among whom, if in any tribe, one must seek for the blood of the men of the Stone Age, albeit later racial elements have unquestionably been mingled with and have well-nigh obliterated the original stock. The name of the tribe appears to be of Dravidian origin,[3] and doubtless they once spoke the Dravidian tongue, to the former prevalence of which so many place-names in Western India still bear witness; but the distribution of the various sections cf the tribe points to Gujarat rather than the southern country as their original home, and in all likelihood they are descended from the pre-Aryan population of Gujarat, which gradually spread itself over the western littoral and absorbed the hunting and fishing clans of the Stone Age. Certain however it is that they formed rude hut-settlements in each of the seven islets of Bombay,[4] and brought with them from Gujarat Mumbadevi, the patron goddess of Bombay, who under the title of Mommai is still worshipped as a village-

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[1] Kean's Ethnology.

[2] Trans. London Orient. Congress, 1874, p. 326.

[3] Edwardes' Rise of Bombay, pp. 6,7. Kuli or Koli is said to mean 'husbandman'; though others have derived the word from Kola (a hog) and from Kul (a tribe) (*c. f.* Kunbi from Kutumb). Others again believe the word to be Munda and to signify "man" (Grierson, Linguistic Survey IV, p. 7).

[4] Edwardes' Rise of Bombay pp. 8 *et seq.* Their best-known settlements were in Colaba, Mandvi, Dongri, Mazagon, Varli, Mahim and Sion.

goddess in Kathiawar.[1] Her shrine was erected in the largest of the seven islets in the immediate neighbourhood of the sites now occupied by the Municipal Offices and the terminus of the Great Indian Peninsular Railway.

Now the arrival of the ancient Earth-mother on these shores was shortly followed by two great events, which jointly contributed to change the character of the races inhabiting Bombay and the coast of the Northern Konkan,—namely the opening of trade with the West and the spread of Aryan culture over the Maratha country and the coast. The Buddhist Jatakas[2] and some of the Sanskrit law-books[3] tell us that ships from Broach and Supara traded with Babylon (Bavern) from the eighth to the sixth century B. C., by which route in truth India received the legend of the flood, the art of brick-making, and above all, the art of writing, all the Indian alphabets having been traced back to an original which must have been brought from Mesopotamia about 800 B. C.[4] Dr. Bhandarkar on his side places the first Aryan settlement in the Deccan at roughly 700 B.C.;[5] and it is safe to assume that Bombay and the coast tract became acquainted with the Aryans as early as, if not earlier than, that date ; for otherwise the Dravidian tribes of Bombay would under the influence of Western trade have found time to develop a civilization of their own, like the people of Malabar, and would not have adopted an Aryan tongue. The famous edict of the great Maurya Emperor, Asoka, at Supara[6] shows that by the middle of the third century before Christ the western

[1] It is now generally admitted that the name Fombay is derived from that of the goddess Mumbadevi or Mumbai, whose shrine formerly stood on the site of the Victoria Terminus. The derivation of the name of the goddess from Maha-Amba-ai (Edwardes' Rise of Bombay, pp. 41 *et seq*) is unacceptable on phonetic grounds. The goddess Mommai is reported from Kathiawar in the replies to a set of folk-lore questions that were circulated in that province some years ago. For a discussion of the older and now rejected derivations of the word Bombay, *see* Edwardes' Rise of Bombay.

[2] Nos. 339 and 463, Fansböll.

[3] S. B. E., II, 228 ; XIV, 146, 200, 217.

[4] Bühler. Indische Palæographie, 35.

[5] Early History of the Deccan, Section III.

[6] J. B. B. R. A. S., XV.

coast had been completely Aryanised,—a process which, commencing perchance with military conquest, was ultimately completed, as in other parts of India, by the peaceful efforts of Brahman missionaries. These pioneers of religion were the forefathers of the Golaks and the Samvedis who, albeit in these days fallen from their high estate, are acknowledged to have been in distant years the priests of the elder races of the Konkan.[1] Men now point the finger of scorn at the Golak as base-born; the Samvedi, reft of all honour and prerogative, earns a bare living by the sweat of his brow: and yet in the days long dead the former ministered unto the people of Nasik (Govardhan) and the Samvedi proudly claimed religious eminence in splendid Supara.[2]

Bombay and the western littoral were known to the earliest Aryans as Aparanta or the Western Border,—a name which, naturally more significant to invaders from the east than to immigrants from the north, leads one to infer that the Aryan conquest took place from the Deccan. Supara (Surparaka) was, as we have seen, the chief town and the port for the Mesopotamian trade until the fourth century before Christ, when its splendour and importance were eclipsed by Chaul (Chemula) to the south of Bombay harbour; for Megasthenes, writing at the end of that century, describes Perimula or Automula (Chaul) as the most famous mart of India, situated where five rivers flow into the sea (Bombay harbour), 620 miles from Patala on the Indus and 750 miles from Tropina (near Cochin). The city belonged to the king of the Arabastrae Orotae, who possessed an army of 1,600 elephants, 150,000 foot and 5,000 horse, and dwelt in a fair city encompassed by a marsh infested by crocodiles.[3] The first part of the tribal name has not yet been fully explained; but the second must be a Prakritic form of Aparantaka, albeit the size of the king's army shows that he was also master of a large portion of the Deccan. Fifty years later (c. 250 B. C.) we find the people of the North Konkan acknowledging the suzerainty of the Maurya empire; for Asoka

[1] N. Vaidya's Brahmans of the White Yajurveda, p. 13.

[2] Bombay Gazetteer, XIII, Pt. I, p. 77, note 3 and p. 41.

[3] Pliny, Nat. Hist., VI., 21.

sent his censors or *Dhamma maha matas* unto them[1]; and they hearkened to the voice of the Buddhist preachers from the council of Pataliputra.[2] And when the Maurya Empire fell (c. 185 B. C.) Western India became the spoil of the Satavahanas of the Telugu country, who for the first time brought the countries along the whole course of the Godavari under one common sceptre. It was under their auspices that ancient legends, such as that of Parasurama, which properly belong to the east coast, were transferred to the Konkan and that the Vaitarani river of the Konkan was named after that of Kalinga[3]; for by the outset of the first century before Christ the Satavahanas[4] had reached the Ghats and in all probability also the Konkan. Their sovereignty lasted for somewhat longer than 300 years, until roughly 220 A.D., suffering one serious interruption about A.D. 100, when Nahapana of the Kshahrarata tribe, who claimed the title of Mahakshatrapa, invaded the Deccan from the direction of Ujjain, occupying Nasik and Junnar, where his inscriptions and coins have been found, and doubtless seizing the western coast-line. But not for long did he enjoy his forcefully-acquired dominion; for about the year 125 A.D. the Satavahana monarch, Gotamiputra, drove him forth from the Deccan and the house of Chashtana about 130 A.D. supplanted his dynasty at Ujjain.[5]

Sometimes at war, sometimes allied by marriage with their northern neighbours the Kshatrapas, the Satavah-

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[1] Bhandarkar's Deccan, p. 146.

[2] Turnour's Mahavanso, pp. 71-2, and Oldenberg's Dipavanso, p. 54.

[3] In Ramayana I. 76 and Mahabharata III. 114, 117 Parasurama retires to Mount Mahendra on the east coast, whereas the Harivansa and the Puranas locate him on the Sahyadris. The mention of the *Ramakunda* at Supara in Nasik inscription 17 (Trans. London. Or. Congress. p 326) proves that the legend was already localised on the west coast by the first quarter of the second century A.D.

[4] For the Satavahanas generally, *see* Bhandarkar's Deccan, Sections IV to VIII.

[5] Nahapana's defeat by Gotamiputra has been recently corroborated by the discovery of a very large hoard of Nahapana's coins in a hillock in the village of Jogal tembhi, Nasik District, close to the confluence of the Godavari and Dharna. Many of the coins have been defaced and overstamped by Gotamiputra with his own inscription and symbols. J. B. B. R., A. S. XXII, 1907, art. XVI.

anas seem to have disputed at least the possession of a portion of the northern Konkan, as that province is claimed at nearly the same time by both Gotamiputra and Rudradaman.[1] Yet the tale unfolded by classical writers coupled with the antiquarian remains discovered in later ages proves that the country south of the Vaitarani was peaceful and flourishing enough ; and to this dim epoch of Satavahana dominion unquestionably belong the cave-temples of the Ghats, marking the main routes between the Deccan and the sea. Here in those rock-hewn caves sojourned the wayfarers from Nasik to Supara or from Junnar and Poona to Chaul and Janjira, while the famous groups below the Ghats, at Kanheri and at Kuda, served as places of retreat for those citizens of Kalyan or Janjira who had grown weary of the stress of human life and were fain to pass the evening of their days in contemplative tranquillity. Yet was Bombay still unknown to the master-builders and pious hermits of the Satavahana epoch, albeit the neighbouring island of Salsette[2] enshrined, besides the Kanheri caves, four other groups, of which two are Brahmanical. The seven isles knew nought of Buddhist ascetic or Brahman missionary, being content to own the sway of the aboriginal fisher-folk, who cast their nets into the encircling waters and worshipped their primeval mother-goddess within their narrow limits.

Under the Satavahanas the ancient trade with the Persian Gulf was augmented by direct trade between Egypt[3] and the port of Sigerus[4] or Janjira[5], which was maintained until the second half of the first century A. D. when the value of the pepper-trade diverted it to Malabar.[6] But with the Gulf commercial relations were steadily fostered ; and many a merchant, goldsmith, corndealer and druggist, and even carpenters and ordinary householders, gathered wealth enough to defray

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[1] Nasik Inscr. No. 26, Trans. Lond. Or. Cong. p. 307 ; and Girnar Inscr. Ind. Ant. VII, 259.

[2] Bombay Gazetteer, XIII., Pt. III.

[3] Strabo, Geog. II, v. 12 and XV, 1, 13.

[4] Pliny, Nat. Hist., VI. 23.

[5] Nairne's Konkan, p. 2.

[6] J. B. B. R. A. S. VII., 16.



MAP
of the
ISLAND OF BOMBAY

(Reproduced from a plan published in 1843) showing the chief local features introduced by the Hindu period.

S. M. E.

the excavation of temples and dwelling-places for their co-religionists. Most of these, it is true, were Buddhist benefactions: but Royalty was very tolerant and often made lavish gifts to Brahmans and occasionally disbursed vast sums on Vedic sacrifices. Literature also, particularly in Prakrit, was fostered by the Satavahana princes; and the people who owned the firm sway of Gotamiputra knew well the epics and puranic legends of India. The fair fortune of the Satavahana kingdom indeed not only aroused the cupidity of external foes but helped towards the conversion and absorption of stranger-peoples; for the hordes of Yavanas (Greeks), Sakas (Scythians) and Pahlavas (Parthians) who invaded the Deccan and Konkan in the wake of Nahapana's army, rapidly became Hinduised, like the Kshatrapas themselves, or were converted to the faith of "the Perfect One." The Satavahanas, whose chief seats were in the Deccan but who had doubtless appointed Governors to the larger coast-towns, disappeared as a ruling power about 220 A.D. from which date the Konkan, including Bombay, fell under the dominion of the Kshatrapas. They in their turn passed away about 300 A. D., as appears firstly from a statement in the *Periplus* (250 A. D.) that Kalliena (Kalyan) was created a mart by the elder Saraganes (Satakarni, *i.e.*, Gotamiputra) but suffered considerably when Sandanes (one of the Kshatrapas?) became her overlord, and secondly from the evidence of a hoard of Kshatrapa coins discovered at Karad in 1861. Under Sandanes indeed any Greek vessel visiting the port of Kalyan was despatched under guard to Barygaza (Broach)[1], while within a little space the old trade route to the Roman Empire *via* the Persian Gulf was disorganized by the destruction of Palmyra (280 A. D).

Of the political circumstances of the North Konkan during the 4th century A. D. we know but little, for the power of the Guptas did not extend so far to the southwest and no Greek records of the period are in existence. All that research has so far discovered is the name of a shadowy king Rudragana, son of Indravarma and by

[1] Periplus Maris Erythraei, ch. 52.

faith a Vaishnav, who imitated in his own mints the last of the famous Kshatrapa coinage.[1] Almost equally dim is the tale of the 5th century, during which the western coast as far north as Breach owned the sway of a dynasty styled Traikutaka, which founded an era of its own commencing A.D. 250,—an era used in later years by the Kalachuris of Bundelkhand.[2] Where the city of Trikuta lay, none can definitely affirm ;[3] but in all probability it was situated in the Narbada valley, while its rulers were the fore-runners, if not the actual forefathers, of the Kalachuris of Ratnapur and Tripura,—the masters of a wide realm on the Narbada and the western coast. The fact that one of their grants, dated 494 A.D., was found at Kanheri shews that they must have been masters of Bombay island,—a supposition which has been corroborated by the discovery in Bombay [4] and at Nasik [5] of the coins of a certain Krishnaraja, who, hitherto supposed to have been a Rashtrakuta, was in all probability a scion of the Kalachuri or Traikutaka dynasties. [6]

The close of the 5th century A.D., which witnessed the dissolution of the Gupta empire in the north of India also sounded the knell of Traikutaka dominion in Bombay and the surrounding country ; after which the local rulers were princes of the Maurya family, who have left the legacy of their name to the More branch of the latter-day Marathas. An inscription at Vada in Thana records the name of Suketuvarma, a member of this dynasty ; [7] while he or another Maurya was master of Kalyan about 530 A.D. when Kosmas, an Egyptian monk, described the place as a fine port, exporting brass,

[1] Bhagwanlal's Gujarat, p. 58.

[2] Bhagwanlal's Gujarat, pp. 55 ff. Fleet's Kanarese Dynasties, pp. 294-5.

[3] Bhagwanlal suggests Junnar ; but this seems too far to the south-west. The kingdoms mentioned with Trikuta in the Vakataka inscription at Ajanta (A.S.W.I. VII, 127) point to Malwa and the Narbada.

[4] J. B. B. R. A. S., XII., 214.

[5] Ind. Ant., XIV, 68.

[6] Fleet's Kanarese Dynasties, 295-6 and 385-6.

[7] Bombay Gazetteer, XIII., ii, 420-1 and XIV, 372-3.

blackwood and cloth, and possessing a king of its own and a community of Christians subject to the spiritual rule of a Persian bishop [1]. For well-nigh a century did the Mauryas hold the sovereignty of Bombay and the western coast against the world, and then succumbed to the Chalukyas of the Kanarese country, who, having occupied Revatidvipa (Goa and Ratnagiri), turned their arms against Bombay in 590 A.D. But the Mauryas made a bold bid for mastery, and it was not until 610 A.D. that the Chalukyas with "hundreds of ships" captured the Mauryan city of Puri, "the goddess of the fortunes of the western ocean," [2] which in a later age was styled the capital of the "Konkan fourteen hundred" and was probably identical with Thana.[3] This conquest enabled the Chalukyas to exchange embassies with the Sassanians of Persia, [4] and to revive the old trade with the Persian Gulf, while in matters of religion they followed the old Vedic creed of sacrifice and popular puranic worship in lieu of the tenets of declining Buddhism. [5] The governance of their provinces they were wont to entrust to younger sons of the royal house ; and albeit we have no direct evidence and lack the aid of the Chinese pilgrim Hiuen Tsiang, there are grounds for supposing that Bombay and the neighbouring country were subordinate to the Chalukya governor of Nasik. In all probability the Chalukya dynasty continued in possession of the western coast until their mastery of the Deccan was shattered by the Rashtrakutas about 757 A.D.; but ere they disappeared from the

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[1] Yule's Cathay.

[2] Feet's Kanarese Dynasties, 345, 349, 355, and I. A. VIII, 237.

[3] Other places identified with Puri are Gharapuri or Elephanta Island, Danda-Rajpuri in the Janjira State, and Rajapur in Ratnagiri (Fleet's Kanarese Dynasties, p. 284). Puri is described as the capital of the Konkan in 843 A. D., and of the Konkan fourteen hundred in 1017 A. D., 1026 A.D and 1095 A. D ; and at the last named date Thana was included in the Konkan fourteen hundred. (Fleet, *ib.* 541-3). The accurate Al-Biruni, writing about 1030 A. D., describes "Tana on the sea-shore" as the capital of the Konkan (ch. 18, 99, 102). Puri was therefore probably an old name for Thana used only in formal documents. See Edwardes' Rise of Bombay, p. 14.

[4] J. R. A. S. New Series, XI, 165.

[5] Bhandarkar's Deccan, 191-2.

political arena, they witnessed a movement destined to exercise a powerful influence upon Bombay in future years. For the mighty tide of Islam was rising, driving men before it like sheep and moving slowly but surely towards the western littoral. There was Usman-ath-Thakafi who is said to have sacked Thana as early as 636 A.D.; [1] there was the formidable Arab host which overwhelmed Gujarat and was with difficulty repulsed from the walls of Navsari by the Chalukyas in 724 A.D.; [2] while under pressure form the same relentless force the Beni-Israel fled from Yemen to Rajpuri, and the Parsis fared forth upon their first migration towards the Indian continent.[3]

During the first fifty years of their rule the Rashtrakutas maintained as their chief stronghold the hill-fort of Mayurakhandi, now Markinda, near Nasik [4], and from that vantage point they personally directed the affairs of the "Konkan fourteen hundred" including Bombay. But about 810 A.D. in consequence of new conquest Govinda III moved his capital some distance to the south-east, and a little while later (a generation before 843 A.D.) the "Konkan fourteen hundred" was placed under the hereditary governorship of a family, whose name, Sanskritised into Silahara, survives to this day in the Selar clan of the Marathas.[5] They claimed to have come from the ancient city of Tagara (Ter)[6] in the very centre of the Deccan; but a branch of the clan had formed a settlement in the South Konkan as early as 782 A.D. and ruled there until 1008 A.D. after the fall of the Rashtrakuta dynasty.[7] The Silaharas of the northern branch, with whom this tale is chiefly concerned, maintained their

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[1] Elliott's India, I, 115-6.

[2] *Ib.* and VII, Orient. Congress, Proc. 236.

[3] Bombay Gazetteer, XI, 85-6; XIV, 506-ff. The Parsis did not actually reach India until 775-A.D., after the fall of the Chalukyas. They landed at Sanjan, were well received by the local chief, and spread northwards along the coast. J.B.B.R.A.S., I., 170; Bomb. Gaz. XIV, 506-ff.

[4] Fleet's Kanarese Dynasties, p. 396.

[5] *Ib.*, p. 538-ff.

[6] This identification is due to Fleet, J. R. A. S. (N.S.)

[7] A third branch held sway later at Karad in Satara.

superiority for more than four centuries (810—1260 A. D.) as lords of the modern Thana District together with Bombay and portions of the modern Kolaba District; they peacefully acknowledged the paramountcy of the Chalukyan Tailapa, who dispossessed the Rashtrakutas in 973 A.D. and they added the coast south of Chaul to their dominions when their southern cousins disappeared about 1010 A.D.[1] Yet at the close of the eleventh century (1076 A.D.) their power suffered a serious temporary eclipse. For civil war raged between their Chalukya overlord Someshwar II and his younger brother Vikramaditya VI[2]; and the whole Konkan was seized and the Silahara chief slain by the Kadambas of Goa, who had thrown in their lot with Vikramaditya.[3] Nevertheless, in spite of the victory of the latter, Anantadeva of the Thana Silahara line managed to recover the coast from Chaul to Sanjan before 1095 A. D., and this too in face of serious opposition from his own kinsmen (of the Karad branch?) and from the Kadambas.[4] It is true that we find the Karad chief claiming the sovereignty of the Konkan in 1110 A. D.,[5] and the Kadambas making a similar claim in 1125 A. D.;[6] but these changes were possibly the fruit of court intrigues during the long reign of Vikramaditya VI. (1076—1126 A. D.), and by the year 1136 A. D. we find the Thana Silaharas finally restored to their old position as lords of Thana and Bombay by their kinsmen of the Karad line.[7] About this date commenced the dissolution of the Chalukya empire, and the first attempt of the ambitious Solanki kings of Gujarat to extend their sway over the trade marts of the Konkan coast. Their first foray was unsuccessful; but about 1161 A.D. Kumarapala's General defeated and slew the Silahara Mallikarjuna,[8] thereby

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1 Fleet's Kanarese Dynasties, pp. 538, 542.

2 *Ib.*, p. 446.

3 *Ib.*, p. 543.

4 *Ib.* p. 444.

5 *Ib.* p. 547.

6 *Ib.* p. 568.

7 *Ib.* p. 548.

8 Bhagwanlal's Gujarat, p. 185.

establishing the Solankis as overlords of Thana and Bombay. Yet their superiority lasted but a little while, for the glory of Anahilvada was already on the wane and by 1187 A. D. the Silahara Aparaditya II of Thana was able to arrogate to himself titles that prove his complete independence.[1] It was not until 1250 A.D. that the fabric of Silahara rule commenced to totter to its fall under the attacks of the Yadavas of Deogiri who had emerged triumphant from the complicated struggle surrounding the dissolution of the Chalukya empire. The final scene of Silahara sovereignty dates from the year 1265 A.D. when their last king Someshwar is worsted by Mahadev of Deogiri and meets his death in the waters of the western coast.[2]

So they passed away,—these fine old kings of Thana and Bombay, nor failed to leave to posterity the sign-manual of their tolerant and able rule. They fostered trade, particularly with Moslem lands, permitting the merchants thereof to build mosques within their territory, appointing a Musalman Judge to decide their disputes, and generally treating them with great favour.[3] Jews, Christians and Fire-worshippers immigrated in large numbers to Chaul[4] and other towns, the chief of which were Sindan (Sanjan) with a large Muhammadan population and a Jama Masjid,[5] Supara, a busy mart a mile and a half from the sea, where men fished for pearls,[6] Thana the capital of the Konkan, a pretty town on *a great gulf*, where vessels anchored and whence they set sail,[7] and Saimur (Chaul), a large and well-built city[8] with a population of 10,000 Muhammadans whose disputes were decided

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[1] Fleet's Kanarese Dynasties, p. 544.

[2] Bhandarkar's Deccan, pp. 244 and 246.

[3] Al Masudi, II, 85.

[4] Al Kazwini in Elliot, I, 97.

[5] Ibn Haukal, *Ib.* 34 and 38.

[6] Al Idrisi, *Ib.* 77 and 85.

[7] Al Beruni ch 18, 19, 102. The mention of the *great gulf* near Thana is the first definite reference in history to Bombay Harbour. Al Idrisi in Elliot, I. 86.

[8] Al Idrisi in Elliot, I. 77 and 85.

by a Moslem Judge, and containing many mosques, churches, synagogues and fire-temples.[1] The entire coast from Cambay to Chaul was thickly dotted with villages in the tenth century A.D., and much land was under cultivation for rice and other crops,[2] while the people, who lived chiefly on vegetable food, dressed in muslin,[3] and spoke the Lariyah language,[4] possessed a mine of wealth in the mangoes and cocoa-nuts which grew in profusion throughout the Konkan.[5] Bullock-carts had already come into use for purposes of conveyance and for the carriage of goods,[6] while the custom of secluding Hindu women, even of the highest rank, was as yet unknown.[7]

While showing much favour to foreigners and tolerance to foreign creeds the Silahara chieftains never forgot their duty to their own faith. Many were the temples they built, many were the grants they made to Brahmans, and one of them wrote a famous commentary on the law-book of Yajnavalkya. To this period belong the great temples of Ambarnath and Walkeshwar[8] and many other shrines and tanks in the present Thana District: and it was the extraordinary sanctity attaching to Walkeshwar and its "Lucky Stone" (Shri Gundi) which first attracted visitors from other parts of Western India and raised Bombay to a higher level than that of a sparsely populated fishing-hamlet. The inscriptions left by the Silaharas include the names of many of their ministers and officers, who seem, like the chiefs themselves, to have come from the Kanarese country, albeit some of them have surnames that are now found among the Pathare

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1 Al Masudi, II, 85.

2 Ibn Haukal in Elliot, I, 39.

3 Al Idrisi in Elliot, I, 88.

4 Al Masudi, I, 381.

5 The date-palm was still unknown at that date. Ibn Haukal in Elliot, I, 39.

6 Al Idrisi *Ib.* 85 and Anantadeva's Grant I. A. IX, 33.

7 Abu Zaid in Elliot, I, 11.

8 Edwardes' Rise of Bombay, 18, 19.

Prabhus and the writer of one grant is described as a Kayasth.[1] One may reasonably infer that this period of Silahara rule witnessed the settlement of both Pathare and Kayasth Prabhus, as well as of the Yajurvedi Brahmans (sometimes called Palshikars) and of the other castes connected with them; for all the Yajurvedi traditions point to their having come originally from the Godavari valley,[2] where Tagara also lies.[3]

After the fall of the Silaharas the country was governed by a Brahman officer of the Deogiri Yadavas down to at least 1290 A.D., and the authority of that dynasty was still acknowledged in 1297 A.D.,[4] three years after Alla-ud-din's raid upon the Deccan. But the tale of the succeeding century is very dim, by reason of the scantiness of historical materials. Marco Polo tells us that in his day Thana had a king of her own, who owned allegiance to none, but had a mutual understanding with the pirates who infested the neighbouring seas:[5] Friar Odoric adds that by his time (A.D. 1322) Thana had fallen into the hands of the Moslems;[6] while Ferishta records that by A.D. 1429 the seat of Government had been transferred from Thana to Bombay-Mahim.[7] Now a glance at the map will show that this last change, which decided for all time the future of Bombay, must have been made for purposes of defence by a ruler who found Thana too exposed for his capital and who at the same time feared not attack from the western sea. He might well have been Marco Polo's king of Thana; but local tradition places him at the end of the 13th century and avers that his name was Bimb.[8] Of his history there are at least

[1] J. B. B. R. A. S., XII, 335.

[2] N. V. Vaidya's Suklayajurvediya Brahmana, Bombay, Sake 1806.

[3] See above, p. 12.

[4] Bhandarkar's Deccan, 248.

[5] Yule's Marco Polo, II, 230, 302.

[6] Yule's Cathay, I. 57.

[7] Briggs' Ferishta, II, 370-1.

[8] It is possible to quote at least ten different dates for Bimb, ranging from Saka 1034 and Samvat 1135 to Saka 1227 and Samvat 1254. But if all the dates be taken as Saka, they with few exceptions point to the end of the 13th and beginning of the 14th century.

three versions, differing in detail, while on particular points we have as many as six or more varying statements.[1] None of the three versions is older in language than the 17th century; but the most coherent of them purports to have been drawn up at a great meeting held at Mhalsapuri Jogeshwari in *Vikrama Samvat* 1505 in order to preserve the traditional lore of the Konkan castes.[2] In all probability the date of the meeting is a Saka date equivalent to A. D. 1583; for in the first place the Saka, and not the Vikrama, era was in use in the Konkan at this period; secondly such a meeting would be a natural incident of the Hindu revival of the 16th century, while it is much less likely to have taken place one hundred and thirty-five years earlier, before the days of Eknath; and thirdly it was laid down that Bimb lived just 300 years before the meeting and to date him back to *Vikrama Samvat* 1205 would be to locate him within the Silahara period.

The precise identity of Bimb has been lost behind the curtains of time. He is said to have been a Suryavanshi Kshattriya like his followers, the Pathare Prabhus,—a fact which forbids our connecting him, as previous writers have done, with either the Solankis of Anahilvada or the Yadavas of Deogiri. Then again he may be said to rival Homer in the variety of places which claim to have been his father-land. Kanoj, Gorakhpur, Udaipur, Anahilvada, Champaner and Paithan[3] are each mentioned as his place of origin; and by their very number lead one to infer that the traditionary tale of his coming has been much embroidered. A reasonably probable supposition seems to be that he was simply a leading member of the Pathare Prabhu caste, which, as has been mentioned above, had already held high office during the Silahara period and which had ample opportunity of setting up a kingdom of its own in the confusion that followed the Muhammadan invasion of the Deccan. The Bimbakhyan certainly

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[1] These stories have been published in a lithographed edition by R. P. Rane under the title of Bimbakhyan, Bombay, 1877.

[2] Bimbakhyan, pp. 89—94.

[3] Bimbakhyan, pp. 51, 107, 129, 141, 145.

includes matter drawn from Silahara history [1] and legends from other sources, [2] but to decide how much of it represents genuine fourteenth century history is now practically impossible. The chief actors in the drama are more or less definitely fixed, but the role they sustain in the different versions varies enormously. On the Hindu side we have Bimb of Mahim with his sire and his son and Nagarshah of Chaul with his son; while on the Muhammadan side the spectres of Alla-ud-din, Nika Malik and Bahadur Shah stalk across the proscenium and vanish behind the coulisses in most bewildering fashion. Yet with all this conflict of testimony one must in the end accept the fact that a king named Bimb ruled in Salsette about A. D. 1300, that he made Mahim in Bombay his capital and granted various offices and rent-free lands to his followers. On the other hand we have good cause for holding that the settlement in the Konkan of Pathare Prabhus, Yajurvedi Brahmans, and other classes [3] who now claim to have journeyed thither in the wake of Bimb was a gradual process which lasted throughout the Silahara period and that Bimb's rise to prominence occurred at the end rather than at the commencement of that protracted immigration.

Whoever Bimb may have been, he left an ineradicable seal upon Bombay. He found Mahim a desert island, washed by the waters of the western sea and sparsely-peopled by families of Koli fishermen and other low-castes and there he built a city which he called Mahikavati, whence the name Mahi or Mahim has been derived. There too he built his palace and a great temple to his family goddess Prabhadevi, nor forbore to set up a court of justice or hall of audience in the area now known to us as Naigaon. The palaces have vanished utterly; the country house of a Bhattia Maharaja now occupies the site where Bimb once listened to the petitions of his

[1] Compare Kesav's war with Bhoj of Dhar (Bimb. p. 61) with Mallikarjun's war with Kumarpal (Bhagwanlal's Gujarat, p. 185.)

[2] Bimbakhyan, pp. 66-67, and 85-91.

[3] *Viz*: Panchkalshis, Bhandaris, Panchals, Ghodel Kunbis, and six sections of Vanis.

people ; and the one visible legacy of his rule is a rude black stone, to which, as representing his spirit, the descendants of the lower classes, over whom he once ruled, make occasional offerings of milk, butter and fruits. Yet these scattered traditions, these magical devotions of the less cultured residents of our modern city serve together to establish the salient fact, which no criticism can shake, that Bimb, the misty king whose spirit haunts the silences of the Mahim palm-groves and the gardens of Naigaon, was the indisputable founder of Bombay.[1]

The Muhammadan Period.*

The so-called Muhammadan period of Bombay's history is greatly lacking in historical material, in consequence chiefly of the fact that Mahim was merely one of the military outposts of a mainland monarchy and possessed no political independence. Local tradition affirms that Bimb died about the beginning of the 14th century, and yielded the throne to his son Pratapdev, who was ousted and slain about thirty years later by Nagardev, the chief of Chaul, and it was apparently during the rule of Bimb or his immediate successor that the Moslems first set covetous eyes upon Bombay. For in A.D. 1318 Mubarak Shah I of Gujarat, who ruled from 1317 to 1320 A.D. ordered his outposts to be extended to the sea and occupied Mahim (Bombay) and Salsette.[2] The considerable Muhammadan population resident in the coast-towns of the Konkan may have helped towards the success of that policy of empire which for a short season guided the actions of the Sultan ; but general acceptance of Moslem domination was largely imperilled by their fanaticism and religious persecution, which resulted in Bombay in the destruction of the old temples of Mumbadevi and Mahalakshmi. Apparently however by A.D. 1322

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[1] Three Persian documents printed in the appendix to Vaidya's Shuklayajurvediya Brahmana are quoted in Edwardes' Rise of Bombay (pp. 25-26) as further proof of Bimb's ascendancy. But of these two bear seals showing that they are copies made in A. H. 1124 ; while the third bears date A. H. 819 (A. D. 1416) in the first year of the Bedar Sultan Ala-ud-din Ghazi, whereas the Deccanis did not occupy Mahim until A. D. 1429.

[2] Bombay Gazetteer, XIII, II, 438.

* See Edwardes' Rise of Bombay, Chap. II.

the Muhammadans had conquered Thana and the surrounding country, including Mahim; for the Friars Jordanus and Odoric, who sojourned in Thana from A.D. 1321 to 1324,[1] remarked that "the Saracens hold the whole country, having lately usurped the dominion. They have destroyed an infinite number of idol temples, likewise many churches of which they have annexed the endowments." According to their account, the head-quarters of the kingdom were at Thana, which was governed by a Malik or commandant and by a Kazi or civil official. The country was well-stocked with big game, notably black lions (probably the black Javan panther) and the rhinoceros. The Hindu population followed the custom of carrying their dead with great pomp to the fields[2] and casting them forth to the beasts and birds.

So far as can be gathered from local legend and external history, Mubarak Shah's possession of Bombay was never firmly established; and during the reign of Muhammad Tughlak (A.D. 1325-50), when the risings in Gujarat and the Deccan left the emperor no leisure to defend small outlying dependencies, Bombay seems to have again reverted to a Hindu overlord. The Bimbakhyan relates that in A.D. 1347 Nagardev, who had slain Pratapdev, was ruling over Salsette and Mahim, and that in consequence of the evil practices of his favourite Jaichuri and the degradation of one of his Sardars, Nathrao Sindha Bhongle, a revolution took place which ended in that year in the final overthrow of Hindu dominion. For the discontented Sardar fled to Vadnagar in Gujarat and besought the Musalman ruler of that place, who was probably one of the *Amiran-i-Sadah* or centurions of the Delhi Sultan, to turn his arms against the northern Konkan. An army accordingly set forth under Nika Malik, one wing of which attacked Pratappur in Salsette[3], a second marched against Thana, and a third laid siege to Mahikavati (Mahim) which in the

[1] Bombay Gazetteer, XIII, II, 439.

[2] This resembles the practice still followed by the Kamathi or Telugu-speaking Hindus.

[3] Pratappur is probably identical with the modern deserted village of Parjapur near Marole.

absence of Nagardev was courageously defended for a time by his queen and a small body of retainers. The struggle was however hopeless; the queen was slain, the city looted; and finally a pitched battle was fought at Byculla between the Moslem host and the forces of Nagardev, in which the former proved victorious. Bombay thus became for the second time subject to the Muhammadans; garrisons were set up in different places; while Nika Malik and another Musalman officer fixed upon Pratappur and Bassein as their respective headquarters. [1]

Up to the close of the 14th century, little is heard of Bombay except the fact that Mahim witnessed the birth of Sheikh Ali Paru or as he was afterwards styled Makhdum Fakih Ali (the worshipful jurisconsult Ali), whose shrine and tomb still attract thousands of the Faithful from all parts of India.[2] But shortly after the establishment of the Gujarat Sultanate, Jafar Khan (afterwards Muzaffar Shah I) was appointed Viceroy of the north Konkan by Firuz Shah. On his first arrival Jafar Khan found two governors, one of Mahim and the other of Navsari, who had been appointed by the Khilji generals; and these officials of the Delhi monarchy were very shortly removed in favour of men more directly subordinate to the newly-founded dynasty of Gujarat. [3] Thus during the reign of Sultan Ahmad, one Malik-us-Sharq, a Gujarat noble of renown, was posted for some years at Mahim, and in addition to instituting a proper survey of the land, did much to improve the existing revenue system. About the same period also occurred, according to traditional accounts, the rebellion of the Bhongles, who are supposed to have been Bhandari Sardars and who, by exciting disaffection among the subjects of the Ahmadabad Sultan, are alleged to have ousted the Muhammadan garrison from Mahim. Beyond the statements in the Bimbakhyan to the effect that the Bhongles were masters of Mahim and its dependencies

[1] Bimbakhyan, pp. 69, 120, 123, 125.

[2] See below, Places and Objects of Interest.

[3] According to the Bimbakhyan one Jafar Khan ruled Mahim or 30 years. Edwardes' Rise of Bombay, p. 54.

for at least eight years and that their corrupt administration eventually brought about their downfall, we have absolutely no evidence of this event. It is however unquestionable that the Bhandari population of Mahim and Bombay at this date was considerable, that many of them followed the profession of arms, that to this day Bhongle is in use as a surname among the Bhandaris, and that at the outset of British dominion the Bhandaris, under the name of Bhongles, possessed the right to blow the bugle as a signal of the opening of the Quarter Sessions and were vested with certain privileges at public pageants. [1] It may therefore be inferred that some revolt against Muhammadan rule, in which the Bhandaris played a leading part, took place about the close of the 14th century and resulted in the temporary eclipse of the overlordship of the Ahmadabad Sultans.

Mahim however did not long remain independent. In A. D. 1429 Ahmad Bahmani of the Deccan despatched an army under Khalaf Hasan Basri to subjugate the north Konkan and oust all contumacious local chieftains,[2] which succeeded in capturing Salsette and Mahim. Hearing of this event the Gujarat Sultan at once sent his son Jafar Khan with a well-appointed force to recapture the lost territory. An obstinate battle was fought on the shores of one of the island creeks between the forces of Jafar Khan and the army of the Deccan monarch, which had been reinforced by the arrival of a fresh army under Prince Alla-ud-din Bahmani. The Gujarat army won a complete victory, routing their opponents with the loss of 2000 men and 2 nobles and capturing Husain, the brother of the Deccani general. Notwithstanding this defeat, the Bahmani Sultan determined not to relinquish any chance of adding the north Konkan to his possessions ; and when a few years later Kutb Khan, the Gujarat commandant of Mahim, died, he again despatched a large army under Malik-ul-Tujjar against Thana and Bombay. [3] Thereupon the Gujarat king

[1] *Mumbaiche Varnan*. F. X. Murphy in J. B. B. R. A. S Edwardes' Rise of Bombay, p. 54.

[2] Ferishta (Persian Text) I, 630.

[3] Ferishta (Persian Text) I, 370.

sent down a strong force under his son and one Iftikhar-ul-mulk, to stem the tide of Deccani invasion and also bade Mukhlis-ul-mulk, head of the Gujarat naval depôt at Diu, aid them with a maritime armament. Collecting seventeen war-ships from Diu, Gogha and Cambay, Mukhlis-ul-mulk hastily joined the Gujarat leaders at Mahim and arranged with them for a simultaneous attack upon Thana by land and sea. Operations commenced with an attack by Malik Sohrab upon the town which was garrisoned by a large Deccani force under a Kotwal. The latter held out bravely for three days; and then, seeing the Gujarat forces daily reinforced and little chance of further aid to himself, he evacuated Thana and fled. This action and the consequent occupation of the town by the Gujarat army forced Malik-ul-Tujjar to retreat to Mahim, pursued by the Gujarat prince, Jafar Khan. Malik-ul-Tujjar threw up on all sides of the island a stockade of thorn-trees and martialled his forces for the enemy's onslaught. The struggle which ensued was fiercely waged and lasted till evening fell, when Malik-ul-Tujjar, considering further opposition useless, retired from the field. He subsequently made two fresh attempts to regain possession of Mahim, but discovered that the power of the Gujarat Sultan was too firmly grounded to offer any chance of success and that the latter had considerably strengthened his position by arranging in A.D. 1432 for his son to marry the daughter of the tributary Rai of Mahim.

Some years ago this struggle between the Ahmadabad and Bahmani monarchies on the shores of Bombay received somewhat curious corroboration. The sea, which has ever been encroaching upon the Mahim shore, washed away a considerable piece of land near the shrine of Sheik Ali Paru and thereby disclosed amid the strata of the beach numbers of bodies interred layer upon layer and in varying stages of preservation. These are supposed to have been the corpses of the men who fell in the battle above-mentioned, and have been responsible for the name *Ganj-i-Shahidan* or Catacomb by which the spot is known in common parlance to this day.

During the greater portion of the 15th century, from the reign of Ahmad Shah (1411-1441) to that of Bahadur Shah (1527-36) Bombay remained in the hands of the Gujarat monarchy.[1] But in 1478 the first signal of opposition was raised by Bahadur Khan Gilani who in that year threw over his natural allegiance to the Bahmani dynasty of the Deccan, seized Dabhol, and proclaimed himself ruler of the *Darya-bar* or coast-tract. In 1485 his example was followed by Malik Ahmad, who established the Nizamshahi dynasty of Ahmednagar, and by Yusuf Adil Khan, another Bahmani noble, who founded the Adilshahi house of Bijapur. It was not long before these young and vigorous powers began to assail the outlying possessions of the Gujarat Sultanate. The Nizamshahi ruler obtained peaceful possession of Danda-Rajpur and other portions of the north Konkan in A.D. 1490; and in A.D. 1493 Bahadur Khan Gilani commenced to harass the ports of Gujarat and seize ships belonging to the Ahmadabad Sultans, and also despatched his Abyssinian slave-admiral Yakut with 20 ships to lay Mahim waste.[2] The Gujarat Sultan Mahmud Begada retorted by attacking Dabhol and, after joining forces with the Bahmani generals, fought a great battle in the neighbourhood of Kolhapur against Bahadur Khan Gilani, and utterly defeated him. Subsequent to this event the power of the Bahmani dynasty gradually waned, and their possessions in the Konkan were divided between the rulers of Ahmadabad and Bijapur.

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[1] Erskine's History, II. shows that Ahmad Shah reduced all the lowlands to the south of Gujarat and below the ghats, the north Konkan and the island of Bombay. A list of the possessions of the Gujarat monarchs, given in the Mirat-i-Ahmadi (Bird), includes Bassein, Bombay, Daman and Danda-Rajpur.

[2] Edwardes Rise of Bombay, p. 58. Bombay Gazetteer I, 2, 32. The Mirati-Sikandari (Khan Bahadur Fazlullah Latfallah's translation) gives an alternative reason for Gilani's action. When Khajah Jehan was assassinated by Sultan Muhammad Bahmani, Malik-ul-Tujjar fled to Cambay, where he died leaving behind him a daughter. Gilani aspired to marry her, and sent a message to that effect to her guardian, who unceremoniously refused, saying that a slave purchased but recently by the lady's father should not presume so greatly. Gilani thereupon had the guardian murdered and attempted to carry off the lady by force, but was foiled by the people of Cambay. This so enraged him that he attacked all the Gujarat ports.

The reign of Sultan Mahmud Begada witnessed certain events which were destined to exercise a powerful influence over Bombay. The Mirat-i-Sikandari mentions an attack by the Sultan upon certain "Firangis" who had created great disturbances in Mahim. These were undoubtedly the Portuguese who were just commencing to consolidate their power in Bombay, Salsette and Bassein. Mahmud's expedition was of little use; for by the time his forces reached Dahanu news was brought that Malik Ayaz, his slave-admiral, had defeated the Portuguese near Bombay, sinking one of their largest vessels and killing nearly 20,000 men. The effect of this victory upon the Portuguese was but temporary; for from A.D. 1536, when Sultan Bahadur of Gujarat died, they gradually consolidated their predominance in all the ports of the western coast from Diu to Goa, being assisted to no little extent by the internecine dissensions which broke out among the nobles of Gujarat. By A.D. 1572 the old Sultanate of Gujarat disappeared, yielding place to the Mughal dynasty of Delhi under whose greatest representative, Akbar, the Portuguese were finally enabled to establish their power in Bombay and the north Konkan.

It will be apparent that the history of the island of Bombay during the era of Moslem supremacy is somewhat indefinite. The salient fact of the period is that Mahim served purely as a military outpost, for the possession of which the forces of the great mainland monarchies on several occasions bared their swords: and in all probability the internal administration of Bombay and the surrounding country was vested in tributary Hindu rais or chieftains, such as the Rai of Mahim whose daughter was betrothed to a prince of the Gujarat Musalman dynasty in A.D. 1432, or the Rai of Bhiwandi who, according to an inscription of A.D. 1464, was in the habit of making grants of land to the people in his charge. The sole legacies of Musalman dominion and immigration are firstly the shrine of Saint Makhdum Fakih Ali at Mahim and secondly the community of half-Arab half-Hindu Muhammad

who, formerly known as Naitias, are now styled Konkanis.[1] It was not till after the establishment of British supremacy that the bulk of the Muhammadan population, Khojas, Bohras, Pathans, Sidis, Julhais, Mughals and others, immigrated into Bombay and the mosques of the city were established, and it was not until A.D. 1818 that any Muhammadan writer appeared to point proudly to the island, lying midway between the islands of Salsette and Colaba, and say "The best of all things are the middlemost."[2]

The Portuguese Period 1534—1661.

The third period of the history of Bombay rightly commences in 1534 with the cession of the island to the Portuguese by Sultan Bahadur of Gujarat. But for several years prior to this date the Portuguese had been consolidating their power in the north Konkan and on more than one occasion had visited Bombay. In the latter half of December 1508, for example, Don Francisco d'Almeida, the first Viceroy of Goa, set sail from Cannanore to Diu with a fleet of nineteen vessels and an army of 1600 soldiers, of whom four hundred hailed from the Malabar coast, with the express object of punishing "Mir Hosain" (Amir Hussein), who had been despatched by the Sultan of Cairo with an Egyptian fleet to expel the Portuguese from India. Leaving Angediv, the Portuguese reached Dabhol, then a city of considerable wealth, on the 30th December, there disembarked, and dividing their forces into three parties, made a simultaneous attack upon the three gates of the city. Its defenders sustained the attack for some time

[1] Edwardes' Rise of Bombay, p. 60. The original home of the Konkani Muhammadans was Mahim. On the advent of the Portuguese many of them who dwelt on the mainland immigrated into Bombay and founded a colony on land subsequently included in the Fort. They gradually became the most influential Muhammadan sect in Bombay and held that position till the 19th century. In consequence of the scare in Bombay caused by the Mysore war and by the offer of Napoleon Buonoparte to assist "Citoyen Tippu," and later in consequence of the great fire, the Konkani community were moved out of the Fort to old Nagpada and other areas to the north-west of the modern Crawford markets. Later still when the present infantry lines to the East of the markets were constructed (Paltan Road) a large number of them shifted to places north of Paidhoni.

[2] Edwardes' Rise of Bombay, p. 60. These words were written by a Persian traveller, the nameless author of the *Jan-i-Bambai.*

with great courage, but were eventually put to flight by Nuno Vaz Pereira, who under the Viceroy's orders executed a flank movement and attacked the city in the rear. This action put an end to the engagement, which had lasted for five hours and resulted in a loss of sixteen men only on the Portuguese side and of fifteen hundred on the side of the defenders. The booty seized by the Portuguese amounted to 1,50,000 ducats ; but all looting on a large scale was prevented by the firing and speedy destruction of the city. Leaving Dabhol on the 5th January, 1509, the Portuguese paid their first visit to Bombay on the 21st January with the object of provisioning the fleet. They seized a Gujarat vessel, manned by twenty-four Moors (Muhammadans), in "the river of Bombay" (*i.e.* the Bandora creek) and finding the cargo insufficient for their requirements they despatched some of the Muhammadans to the headman of the island, asking him to supply them with provisions for cash. Behind them the Viceroy despatched some of his own men with instructions not to cause any unnecessary damage to the island; and they landing without molestation near Mahim fort captured twenty-four sheep and drove them down to the shore of the creek. In the meanwhile the headman who had fled inland, probably to Bombay proper, with most of the inhabitants of Mahim, despatched twelve bags of rice and a dozen goats to the Viceroy, excusing himself from supplying anything else on the grounds that locusts had destroyed everything on the island.[1] An alternative account is supplied by Gaspar Correa[2] who remarks that "the Viceroy departed from Dabhol, passed by Cheul, which, to avoid delay, he did not enter and cast anchor at Bombay, where the people terrified fled away. Our men captured many cows and some 'blacks', who were hiding among the bushes, and of whom the good were kept and the rest were killed. The Viceroy happening to see a well-disposed black being carried away, ordered him to be set free, on condition of his taking an oath, according to his law, that he would convey a letter to Diu and deliver

[1] Asia de Joao de Barras, Decada II, Liv. III, Chap. V.

[2] The Lendas. Da Cunha's Origin of Bombay. Edwardes' Rise of Bombay.

it to Malik Ayaz. The poor black, delighted at the prospect of freedom, consented; and the letter was delivered to Malik Ayaz twenty days before the arrival of the fleet."

The expedition then set sail for Diu and arrived on the 2nd February, 1509. Between 9 and 10 o'clock on the following morning a sharp engagement took place between the Portuguese and Malik Ayaz, who with Amir Hussein had prepared to resist the attack with a fleet of two hundred vessels. The Portuguese gained a complete victory; the ships of the Musalman were plundered; Amir Hussein was seriously wounded; and the colours of the "Soldan" (Sultan) were despatched as a trophy to Portugal. This success served but to intensify the desire of the Portuguese to build a fortress at Diu, and indirectly led to the despatch of two embassies, in 1513 and 1514, to Sultan Bahadur for the purpose of negotiating for a site. Owing to the action of Malik Ayaz, the embassies met with little success; but when the second, consisting of Diogo Fernandez, Diogo Teixeira, and Ganapotam (Ganpatrao), a Hindu interpreter, conferred with the Sultan at Madoval (Ahmadabad), the island of Mahim (Bombay) was offered as an alternative site. This, however, the ambassadors refused on the ground that they were not authorized to accept any site but Diu. In 1517, during the viceroyalty of Dom Soares de Albergaria, Dom João de Monroyo entered the Bandora creek with seven pinnaces and defeated the commandant of Mahim. "Monroyo" writes Barras "arrived at the river of Mahim, where he found a ship coming from the Red Sea with merchandise. The crew, to save themselves, entered the river and ran aground. They saved themselves with the best they had, and the rest was taken by our men, who carried all to Cheul. At this capture the commandant of Mahim, Xeque-ji (*i.e.* Sheikh-ji) was greatly affronted, not only by reason of the vessel having been captured before his eyes, but also because his fortress had been bombarded. On the departure of our men, he hastily despatched three pinnaces after them, to stop the passage at Cheul point. Having attacked our men, the latter behaved in such a manner that his pinnaces fled."[1]

[1] Decadas, Vol. III, Book I. Chap. III. Edwardes' Rise of Bombay.

Between 1522 and 1524, when Dom Duarte de Menezes was Viceroy of Goa, the Portuguese were constantly prowling about Bombay for the ships of the Muhammadans and on one occasion drove Malik Ayaz and his fleet to take shelter in Bombay harbour: while in 1528-29 Lopo Vaz, with 40 ships, 1000 Portuguese, and some native levies, overtook the Gujarat fleet near Bombay, destroyed half the enemy's ships, and captured many prisoners and much cannon and ammunition. He then seized Mahim fort belonging to the "King of Cambay" (Sultan of Gujarat), who was at war with "Nizamuluco (Nizam-ul-mulk), the lord of Cheul," and handed it over to the latter. "The fleet of the king of Cambay," writes Gaspar Correa, "consisted of 68 pinnaces under the command of a son of Camalmaluco (Kamal Malik), Governor and Captain of Diu, and of Ali Shah. Lopo Vaz de Sampayo anchored off a small island, where the pinnaces of Ali Shah lay; and the latter then retreated with his rowing boats to the mouth of the Thana river and there cast anchor. During the night the Governor sent Vincent Correa to spy upon the enemy. He saw all their boats drawn up at the landing-place, with the exception of two which kept watch at the mouth of the river. Ali Shah under cover of night sailed for the Nagothna river, with twenty well-equipped galleons, having galleries at the stern adorned with pictures (*i.e.* texts from the Koran). Thither followed Lopo Vaz and ordered Heitor da Silveira to attack the enemy, which the latter successfully accomplished, returning to the fleet with a prize of twenty-seven *fustas* (pinnaces). He then pursued the fugitive Ali Shah to a neighbouring fortress, pillaged the surrounding country and captured much artillery. To escape further annoyance, the *thanadar* of Thana made himself tributary to the Portuguese, and promised to pay them annually a sum of 2,000 pardaos (=Rs. 750)."[1] Heitor da Silveira then returned to Bombay harbour, where, according to Barros, he was received with great ovations; and when on the 20th March, 1529, the Viceroy returned to Goa, Heitor was left behind with "twenty bargantins,

[1] Correa, Lendas, Vol. III, 289, 297 *et seq.*

two galliots and three hundred men" to harass the coast as far as Cambay. During the three months preceding the monsoon of 1529 Heitor da Silveira and his men made repeated incursions into Bombay and the neighbouring islands, and gave to Bombay the title of *A ilha da boa vida* (the island of the good life) in token of the abundant food and enjoyment which it supplied.[1]

Bombay again came into prominence in connection with the attempt of the Portuguese to capture Diu in 1530-31. The commandant of the fort, having been deprived of his position by Sultan Bahadur, approached Nuno da Cunha, the Viceroy of Goa, and suggested a joint attack upon the citadel. Nuno da Cunha agreed, furnished the commandant with a pass and with a fleet under the command of Gaspar Paes, and then set about preparations for an attack upon his own account. He collected the largest fleet ever seen in India, consisting of "four hundred sail, including many large ships, but mostly small vessels fitted out by natives", and held a grand naval review in the harbour of Bombay, and a general parade of all his forces upon the plain now known as the Esplanade, "taking a roll from each captain of the Portuguese soldiers and sailors, and of the captive slaves who could fight and assist, and the number of musketeers and of the people such as servants."[2] The muster showed the forces to consist of 3,600 soldiers and 1,460 seamen, all Portuguese, 2,000 men from Malabar and Kanara, 8,000 slaves, 5,000 native seamen and 3,000

[1] Da Cunha, Origin of Bombay. Journ. B. B. R. A. S. 1900. That Bombay was a pleasant spot is confirmed by several writers, notably Dom João de Castro, who visited it a few years later and in his log-book described it as being very low, covered with luxuriant groves, teeming with game, and abounding in rice. (Primeiro Roteiro da Costa da India). Dr. Da Cunha has suggested in his Origin of Bombay that Bombay was the original of Camœns' 'Isle of Love' in the Lusiads.

[2] Danvers' Portuguese in India. In the Diary of William Hodges (Hakluyt Society) it is stated that among the fleet collected were five Malacca junks filled with provisions, 8 vessels from Portugal, 14 galleons, 12 royal galleys, 18 galliots (*i.e.* gallivats or war-boats propelled by oars, from which the modern word '*jolly-boat*' is derived) and innumerable brigantines, pinnaces and small vessels chartered by traders. They supported a huge floating population, comprising the cream of captains, fidalgos and cavaliers of Lusitania.

musketeers. Including the women and children, the whole floating population amounted to more than 30,000 souls.[1] The review ended, the fleet sailed to Daman, which was speedily captured, and thence to the island of Bete (Shial Bet), which surrendered after a stern struggle. Diu was also bombarded, but managed to withstand the siege; whereupon Nuno da Cunha retired to Goa, leaving Antonio Saldanha with sixty vessels to cruise in the Gulf of Cambay and harass the foe. In the months of March and April, 1531, Saldanha rapidly seized and burnt Mohuva, Gogha, Tarapur, Mahim,[2] Agasi and Surat, while Diogo da Silveira plundered Thana, the *thanadar* of which had attempted to rid himself of the obligation to pay tribute to the Portuguese. In consequence of this success, and later of Nuno da Cunha's capture of Bassein in January, 1533, the islands of Bombay and Mahim together with Bandora became tributary to the foreigner.

Meanwhile Sultan Bahadur Shah of Gujarat had grown apprehensive of the power of the Mughal Emperors, and observing the successes obtained by Portuguese arms, determined to enlist their aid. Accordingly in 1534 he despatched "Xacoes" (Shah Khwajeh) to Nuno da Cunha with an offer to hand over Bassein and all its dependencies and revenues by sea and land[3] and on the 23rd December of that year the treaty of Bassein was signed on board the galleon *San Mateos*, under the terms of which Bahadur Shah "gave and bequeathed to the King of Portugal from that day forth and for ever the city of Bassein, its territories, islands and seas, with all its revenues, in the same way as he, Sultan Bahadur, King of Gujarat, held them before, provided that all vessels from the Kingdom of Gujarat bound for the Red Sea should first call at Bassein for passes, and on return voyage call there again, in order to pay duties under penalty and risk of seizure."[4]

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[1] S. J. Pedroso's Resumo Historico da Antiga India Portugueza; G. Correa's Lendas III, 392.

[2] Danvers' (Portuguese in India) mentions Mahim; but Da Cunha (Origin of Bombay) believes Kelve-Mahim in Thana is meant.

[3] Danvers' Portuguese in India, p. 416.

[4] *Ibid*; Da Cunha. Origin of Bombay, 88, 89, *et seq*; Journal B. B. R. A. S. Vol. X, 323. The Signatories to the treaty were Nuno da Cunha, the Gujarat Ambassador, Admiral M. Affonso de

The surrender of Bassein and Bombay was confirmed later by a treaty of peace and commerce between Bahadur Shah and Nuno da Cunha, dated the 25th October 1535, whereby also the Portuguese were permitted to carry out the long-desired work of building a fort at Diu. During the following ten years the Portuguese were constantly at war with Adil Khan, the Sultans of Gujarat, and the Zamorin of Calicut, while troubles also arose at Malacca and Diu was besieged by the Turks under "Soleyman Badshaw" (Suleiman Pasha), governor of Cairo. The main result was the impoverishment of the Portuguese treasury and consequent inability on the part of Portugal to reward suitably the services of her distinguished servants. This lack of money was doubtless partly responsible for the granting of lands by the crown as rewards for meritorious actions, and for the rise of the feudal system of tenure, which characterized Bombay during the era of Portuguese dominion; although it should be noted at the same time that under the Sultans of Gujarat a system approximating to the feudal had been in force in Bassein, Salsette, Bombay and neighbouring tracts. It appears in any case that from 1534 onwards Bombay was, for the purposes both of executive and judicial administration, subordinate to Bassein,[1] and that all the territory of the Portuguese in the north Konkan was divided into manors or fiefs, the land being granted to deserving persons at a nominal rental of 4 to 10 per cent. and the leases being renewable either yearly, triennially, or in some cases for a period of one to three lives. For very distinguished services, and in cases where the grantees were religious

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Souza, F. R. de Castello Branco, Chief Magistrate, a Persian and a Portuguese interpreter, and others. Gaspar Correa (Lendas III, 583) states that there was a large assemblage to witness the signing of the treaty; and a trumpet was blown to arrest their attention. The grant (chhāpa) was shewn to the *thanadars*; the chief men then took the oath of allegiance with their heads bent earthwards, promising to obey the King of Portugal as they had obeyed Bahadur Shah; and in ratification of their oath, each *thanadar* presented a branch of some sweet-smelling plant to the *Feitor* or chief of the factory. The grant was enclosed in a golden casket.

[1] Letter from the Secretary-General to the Governor-General of Portuguese India, 9th March, 1907.

confraternities, the lands were handed over in perpetuity. In return, the King of Portugal claimed military service from the tenant which might be commuted into a tax at the discretion of the authorities and the comptroller of the treasury.[1] This system of tenure, which also laid upon the tenant an obligation to cultivate and improve the land, was known as *aforamento* (*i.e.* holding subject to the payment of *foro* or quit-rent) ; and side by side with it existed a minor tenure known as *arrendamento*, signifying the annual letting or renting of land for a fixed sum in cash or kind.

In the general distribution of estates which occurred after 1534, the island of Monbaym (Bombay proper) was let to one Mestre Diogo, as tenant or *foreiro*, for an annual quit-rent of 1,432½ *pardaos* (about Rs. 537-3-0), payable at the royal treasury in Bassein.[2] The island or *kasba* of Mahim was similarly rented for 36,057 fœdeas (Rs. 751-3-0), the *mandovin*, i.e. the *mandvi* or custom-house of Mahim for 39,975 fœdeas (Rs. 791-2-0), and the island of Mazagon for 8,500 fœdeas (Rs. 178), while between 1545 and 1548, during the viceroyalty of D. João de Castro, the four villages of Parel, Vadala, Sion and Varli were granted to Manuel Serrão for an annual payment of 412 pardãos (Rs. 154-8-0), the villages of Trombay and Chembur to Dom Roque Tello de Menezes, Elephanta island to João Pirez for 105 pardãos (Rs. 39-6-0), and the revenue of the custom-house at Walkeshwar to one "Posagy" for 60 fœdeas (Rs. 1-4-0).[3] It cannot be definitely stated for what period Mestre

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[1] Bosquejo das possessores Portuguezas no Oriente by Joaquim Pedro C. Soares, 1851.

[2] This was the sum payable by Mestre Diogo in 1548. According to the *Foral* or register of rents compiled by Simão Botelho the rent of Bombay from the date of the treaty of Bassein was as follows:—1534, 14,400 fœdeas (Rs. 300 one fœdea being equal to 4 pice) ; 1535, 17,000 fœdeas ; 1536, 23,000 fœdeas ; 1537, 29,000 fœdeas ; 1538, 27,000 fœdeas ; 1539, 26,292 fœdeas ; 1540, 28,190 fœdeas ; 1541, 28,000 fœdeas ; 1542, 30,000 fœdeas; 1543, 31,000 fœdeas ; 1544-45, 38,500 fœdeas ; 1546-47, 23,500 fœdeas or 1,375 pardãos ; 1548, 28,650 fœdeas or 1,432½ pardãos.

[3] Simão Botelho refers to these places in his *Tombo do Estado da India* as Parell, Varella, Varel, Syva, Turumba, Chambur and Valepuecer.

Diogo[1] enjoyed the manorial rights of Bombay; but collateral evidence proves that in or about the year 1554 during the viceroyalty of Dom Pedro Mascarenhas, the island was granted to Garcia da Orta, [2] the celebrated physician and botanist, for a yearly quit-rent equivalent to about £ 85 sterling. In his *colloquios dos Simplese Drogas da India* (Conversations on the drugs and simples of India) he himself speaks of Bombay as *Mombaim terra e ilha de que El Rei nosso senhor me fez mercê, aforada em fatiota* (the island which the King has granted to me on payment of a quit-rent)[3]. Bombay apparently remained in his possession until his death in Goa in 1570, after which it appears to have been granted on the same tenure to several parties in succession, the last of whom was Donna Ignez de Miranda, widow of Dom Rodrigo de Monçanto.

Garcia da Orta was in all probability responsible for the building of the *Quinta* or manor-house, which Fryer described in later years as "a pretty well-seated but ill-fortified house" and which Simão Botelho recorded as being situated "in a park with pleasure grounds, at the *caçabê* (*kasba*) of Bombaim, the principal seat of the island near the little fort." [4]. It was built some time between 1528 and 1626 [5]; for in the latter year David Davies, the English navigator, who participated in the joint attack by the English and Dutch upon Bombay,

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[1] The identity of Mestre Diogo is doubtful. But he may conceivably have been either Diogo de Borba, an evangelist and the founder of the first catechetical school in Bassein, or Diogo da Silveira, a cousin of Heitor da Silveira.

[2] Garcia da Orta was honorary physician to King João III. His book on drugs was written in Latin, afterwards translated into Portuguese, and published in Goa on the 10th April 1563, this being the third work printed in India in roman characters. The famous poet, Camoens, contributed an ode to the *colloquios* of G. da Orta.

[3] Da Cunha. Origin of Bombay, p. 101.

[4] The centre of the modern arsenal behind the Town Hall represents the site of the manor-house to-day. The chief attractions of the house in Garcia da Orta's day were his fine library of historical, philosophical and medical works, and the surrounding botanical gardens, which Fryer described as "a delicate garden, voiced to be the pleasantest in India". Da Cunha Origin of Bombay, 101 *et seq.*

[5] Bombay Town and Island Materials, Part III, p. 651.

referred to it in the following terms in the log-book of his ship *The Discovery* :—" The 13th October we went into the Bay of Bombay and rode without the stakes. The 14th the *Morris* and the Dutch ships went in near the Great House to batter against it, in which battery three of the *Morris* ordnance split. The same day we landed 300 men, English and Dutch, and burnt all their *cadjan* houses and took the Great House with two basses (small cannon) of brass and one saker (heavy cannon) of iron. The 15th, all our men embarked aboard the ships, being Sunday in the evening, and left the Great House *which was both a warehouse, a priory and a fort*, all afire, burning with other good houses, together with two new frigates not yet from the stocks nor fully ended; but they had carried away all their treasure and all things of any value, for all were run away before our men landed".[1] The chief products of the island during the sixteenth century were the cocoa-nut palm, brab, jack-tree, *jambul*, the *jangoma*, of which few specimens now exist, and mango-trees, one of which supplied the lord of the manor with fruit " twice a year, once about Christmas, and again at the end of May.[2]" Cocoa-nuts and rice were the staple products of the island of Mahim ; Mazagon and Sion were noted for their salt pans, while the numerous settlements of Kolis were responsible for a large supply of fish, which was dried upon the island and then forwarded to Bassein for sale to the Moors

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[1] Sir G. Birdwood's Report upon the India Office Records. Davies' account is corroborated by the journals of Andrew Warden of the *William* and John Viau. The former runs :— "1626, Oct. 15th. In the morning stood in and ankred and landed ye inigles and the Duches, sum 400 meane at the leaste, and tocke the fort And casell and the towne, and sett fire of it and all the town and all the howesen (houses) thereabouts, the pepell being all run away that night and ded carry away all the best cometries levein nothing but trashe.' The latter runs :—" Wee came so neare the Towne with two of our ships that wee drove them all awaye with our great ordnance. In safetie we landed our men on shore, whoe pilladged the Towne..........we staide there the 15th daye doeing all the spoyle that possiblie we could, but we gott nothinge to speake of but vittuall. "

[2] Garcia da Orta. Colloquis XXVIII. Dr. da Cunha mentions another mango-tree belonging to Mrs. Hough in 1866, which fruited twice a year. The late Colonel Dymock, author of *Medicinal Plants of Western India*, states that there are many such trees on Malabar Hill. At the present day Mazagon contains two trees which bear a double crop of mangoes every year.

(Muhammadans). As regards the population of the island, Bombay appears to have been composed of seven villages subordinate to two *caçabas* (*kasbas*) or chief stations, at which customs-duty was levied. These villages were Mahim, Parel, Varella (Vadala) and Syva (Sion) under the *kasba* of Mahim, and Mazagon, Bombaim (Bombay), and Varel (Varli) under the *kasba* of Bombay[1]. In addition to these there were probably smaller hamlets, like Cavel, Colaba, Naigaon and Dongri, which had existed from the epoch of Hindu colonization. Bombay itself was not very populous, for it contained some years later (1634) only "eleven Portuguese families or married men (*casados*), and some native blacks (*pretos naturaes*), making altogether seventy musketeers able to serve in war."[2] The latter were probably of Koli or Bhandari caste. The Kolis formed perhaps the most numerous class at this date and dwelt in most parts of the island from Colaba in the south to Sion and Mahim in the north. Wearing then, as they still do, their distinctive emblem, a knife suspended round the neck, these aboriginal colonists subsisted mostly by fishing and agriculture, though a few may have been forced to relinquish these duties for that of palanquin-bearing, which formed the subject of many a petition and appeal during the earlier years of the British occupation. A smaller community was that of the Moors (Musalmans) who, according to Garcia da Orta, were solely engaged in maritime trade. "They possessed the land first" he writes "and are called Naitias, which means mixed or made up first of the Moors who came from abroad and mixed themselves with the Gentiles (Hindus) of this land". A few Musalmans of less mixed descent may conceivably have been living in

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1 These divisions existed during the early British period ; for in a letter from Aungier to the Court of Directors, dated December 15th, 1673, it is stated that "the town is divided into two small shires of Bombay and Mahim. The former contains the island Colleo (Colaba), the towns of Bombay, Mazagon and Parell, with the several parishes of Pallo, Deirao, Gregon, Vall and Mochein. The shire of Mahim contains Mahim, Sion, Daravee and Verlee with the several parishes of Salvcaon, St. Michael, etc., precincts."

2 Antonio Bocarro, Livro das plantas das Fortalezas.

Mahim or Bombay; but the bulk of the followers of Islam clearly belonged to the Konkani Muhammadan community, whose Arab and Persian ancestors had taken unto themselves wives from among the Hindu inhabitants of the western coast. Then there were Kunbis and Agris (Curumbins), "who cultivated the fields and sowed them with rice and all sorts of pulse"; there were Malis, who tended the orchards and were styled *Hortelaos* by the Portuguese, and thirdly Piães (*i e.* peons) or men-at-arms, who were in all likelihood Bhandaris.[1] In Mahim, Bombay and Parel dwelt Parus (*i.e.* Prabhus) "who collect the rents of the King and of the inhabitants and their estates, and are also merchants"; while of the three other communities mentioned by Garcia da Orta as resident in Bassein and its subordinate tracts, *viz.*, Baneanes (Banias), Coaris or Esparcis (Parsis) and Deres (*i.e.*, Dheds or Mahars) or Farazes, the last-named must from the nature of their duties have been dwelling both in Bombay and Mahim. "They are a people despised and hated by all," wrote da Orta; "they do not touch others, they eat everything, even dead things. Each village gives them its leavings to eat. Their task is to cleanse the dirt from houses and streets."[2] The Banias and Parsis on

[1] During the early British period the Bhandaris are described as "being bred to arms from their infancy, and having a courage and fidelity which may be depended upon," and as having shown "notorious courage and zeal in the defence of the Island, when it was invaded by the Sidi." Many of them were among the earliest converts to Christianity, and were organized by the English into a militia, which was retained until the growth of the native army and the appointment of a local police force rendered their services unnecessary.

[2] This community seems to be identical with that mentioned by Clement Downing in his Compendious History of the Indian Wars. He wrote :—"The original inhabitants (of Bombay) were Keneyreans, a very inoffensive people, though Pagans. They are of comely stature, well-shaped and very strong. They wear no clothes, only a piece of linen cloth, and a flat cap on their heads. They are distinguished by several names; some call them *Frost* or *Coolley*, which is the common name they go by among the English. The Frost eat no flesh but what dies of itself: for any sheep, hogs or fowls that die of any sort of Distemper, they will feed on as the finest well-fed meat whatever. So that when such accidents happen to the English, they send for some of them to take the same away; which they are very thankful for. They are very industrious and cleanly; for though they eat such unclean things, they wash them first.

the other hand did not actually settle upon the island until after its cession to England by the Portuguese.

The history of the dominion of the Portuguese in Western India is to a large extent the tale of the foundation and growth of their religious orders: and it was not long before Bombay became acquainted with the latter. Shortly after 1534, during the episcopate of Dom Fr. João de Alphonso de Albuquerque, one Fr. Antonio de Porto, a Franciscan friar, set sail for Bassein and Bombay. One of the conditions of the Treaty of Bassein was that a sum of 5,000 larins (a Persian coin equal to about six pence), which had hitherto been allocated to the mosques from the revenues of Bassein, should continue to be so applied: but so vigorously did Fr. Antonio and others set about the dissemination of their creed, that the King of Portugal eventually passed an order to utilize all funds of this nature for the benefit of missions in Bombay and Bassein. [1] Besides converting about ten thousand natives in Bassein, Thana, Mandapeshwar and neighbouring places, the Franciscans built the church of St. Michael, which still exists in Mahim at the north end of Lady Jamsetji road, and ranks as the oldest Franciscan building in Bombay. [2] The keynote of Portuguese policy, indeed, is embodied in Vasco da Gama's famous remark "*Vimos buscar Christaos e especiaria*" (we come to seek Christians and spices) but the Christian was in their eyes of more im-

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[1] Among Fr. Antonio's achievements was the conversion of the ascetics at the Kanheri caves in Salsette. He turned the great *chaitya* or chapel-cave into a Christian Church of St. Michael; and it was used as such until after the fall of Bassein. Anquetil du Perron states it was still used by the Christians in 1760. Fr. Antonio also evicted the Brahman ascetics of the Mandapeshwar caves and turned the caves into a Church of Nossa Senhora de Piedade, the revenues of the caves and temple being applied to the upkeep of a Royal College established on the site for Christian converts. The Marathas subsequently pillaged the College and Church; but Dr. Wilson in 1850 found the native Christian population still using the cave-temple as a Church.

[2] D. Antonio Pedro da Costa remarks in his *Relatorio da Nova Diocese*, "*Foi esta egreja fundada em 1510, e a primeira que os Portugueses edificaram na ilha de Bombaim*" or "this church (of St. Michael) was built in 1510, and is the first that the Portuguese built in the island of Bombay." The statement is only partially correct, for the church was not built till after Fr. Antonio's arrival in 1534.

portance than the spices, and they were slow to realize that the advancement of trade depended on the widest religious toleration as one of its principal factors. Had the Portuguese Government been able to restrain the troublesome and wanton acts of oppression which the religious orders practised under the cloak of proselytism the population and trade of Bombay and surrounding tracts would almost certainly have largely increased.[1] But Bombay was early placed under the spiritual jurisdiction of the *vigario da Vara* at Bassein ; and under his auspices the Franciscan mission was followed in 1542 by a Jesuit mission, the most notable member of which was St. Francis Xavier, and in 1548 by the Dominican order, established in Goa in 1545 by one Diogo Bermudes, who constantly visited Bombay to confer with his friend Garcia da Orta[2]. St. Francis Xavier lost no time in obtaining for the Jesuit order a share of the money which was formerly reserved for the benefit of the mosques, and by the year 1570 the Paulistines, as the Jesuits were styled, were resident in every town and village of Portuguese territory and had commenced building the church of St. Andrew at Bandora. Franciscan and Jesuit vied with one another in the erection of churches and the conversion of the inhabitants of Bombay.[3] A chapel of Nossa Senhora de Bom Concelho was erected at Sion and affiliated to the church

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[1] S. M. Nayak in his History of the Pattane Prabhus records that the Portuguese forced Brahmans to work as coolies, and deprived them of their rights of officiating at the big Hindu festivals. The Prabhus were forced to perform their ceremonies under cover of night with closed doors ; and although they insinuated themselves into the good graces of the conquerors by acting as their clerks, accountants and tax-gatherers, yet many were forcibly converted under the name of Duarte, Fonseca. Gomes, etc. One Prabhu, baptized under the name of Caetano de Souza, wrote a History of Mahim in 1594, of which unfortunately no copy is extant.

[2] Other confraternities were the Recollects who reached India in 1556, the Augustinians in 1572, the Carmelites in 1612, the Theatines in 1640, the Hospitalers of St. John in 1681, and the Decalcate Tertiaries in 1750.

[3] The missionary activity reached its height after the receipt of a letter from the King of Portugal in 1549, ordering the civil authorities to aid the ecclesiastics in the conversion of Indians : and Ecclesiasticism was at its zenith in 1560, when the Holy Inquisition was introduced in the East. The inquisition held seventy-one auto-da-fe's in Goa, at which 4,046 victims were slain.

of St. Michael in 1596, and in the same year a church of Nossa Senhora de Salvacão was built at Dadar, both of which were built by the Franciscans and are still in existence.[1] To the latter Fryer referred in 1673 in the words "At Salvasong the Franciscans enjoy another church and convent"; and the same order also owned "the Romish chapel" at Parel, which was confiscated from the Jesuits in 1719, and after serving as Government House and the residence of H. M. the King-Emperor during his visit to Bombay in 1875 has finally been transformed into a bacteriological laboratory.

By 1585 the Franciscans had obtained practical control of Salsette, Mahim, Bombay and Karanja island, in each of which places was a state-paid official styled "*O Pai dos Christaos*", and in addition to the churches mentioned above they had built one on the Esplanade to Nossa Senhora de Esperanza, the earliest parishioners of which were the Koli converts of Cavel.[2] These Roman Catholic ecclesiastics earned larger revenues than even the King of Portugal himself; they founded a college at Bandora, which conferred degrees upon all manner of persons, and according to a writer of the seventeenth century "was not inferior as to the building nor much unlike those of our universities"; they lived sumptuously, and were generally so influential that even the General of the North at Bassein felt his position to be precarious. These facts obtruded themselves upon the Reverend John Ovington, who visited Bombay in 1689 and remarked that "Few men can enjoy very peaceable lives who have any fair possessions near the convents of the

[1] The Dadar church is now one of the richest, being possessed of landed property, cocoa-nut oarts, three affiliated chapels at Parel, Varli and Matunga, and a large house which has served on various occasions as the Portuguese episcopal residence.

[2] This church stood on the site of the present Elphinstone High School. Attached to it were a cemetery and a cross, which about 1865 was standing just parallel to the cross which still exists on the Marine Lines side of the Esplanade road. In 1848 during the episcopate of Dr. Whelan, when the Roman Catholic community was divided into two parties and feeling ran high, the Koli parishioners of this church were drawn into the dispute and assembled one day at the church with oars, ropes and other implements to protect their sacred edifice from falling into the clutches of the so-called Irish party.

Jesuits ; a pleasant seat and a fruitful plantation can hardly escape their gaining ".[1]

[1] At the end of the 17th century the income of the chief church in Salsette was estimated as equivalent to one pound weight of gold *per diem*. In 1598 a friar, who came from England to visit the Jesuit institutions in India, was entertained at Bandora with a sham sea-fight, under the auspices of the authorities of the Bandora College. At the time of the cession of Bombay to the English the Bandora College laid claim to much land and various rights in Bombay. These claims, however, were disallowed, which naturally increased the bitterness engendered by the advent of the English into Bombay. The island of Mazagon was one of the few places that escaped absorption by the priesthood. Dom João de Castro originally granted it in 1547 to Antonio Pessoa for an annual quit-rent of 195 *pardãos* in gold and 3 *tangas* of silver (*i.e.*, about Rs. 74), Antonio having shown remarkable bravery at the sieges of Calicut and Bassein, and having served with distinction as Feitor of Ceylon. On his death in 1571 a royal patent, dated at Goa, the 18th January 1572, was issued which granted the island in perpetuity to the De Souza e Lima family, Lionel de Souza e Lima having married Donna Anna, the daughter of Antonio Pessoa. The revenue of Mazagon rose from 8,500 foedeas in 1534 to 550 *pardãos* in 1547. The patent of 1572 laid down that " the village of Mazagon is given to Lionel de Souza for ever and to his heirs, paying every year 195 gold *pardãos* and three silver *tangas* of six and a half double-pice each. On the death of Lionel de Souza the village is to remain with Donna Anna Pessoa, Ruy de Souza and Manoel de Souza, his wife and sons, that is to say, one half of the income to the two sons". In the event of the sons dying before Donna Anna, the estate was to be shared by such of his descendants as Lionel de Souza might nominate by will. In any case, the village was not to be sold, exchanged or alienated without the permission of the King of Portugal or the license of his Viceroy in India. Lionel de Souza was placed in possession by Roque Suril, clerk of the Mahim District, and apparently died shortly after, leaving his widow to manage the manor. It descended from her to her eldest son Ruy de Souza in 1632. He was the first to endow the church of Nossa Senhora da Gloria at Mazagon with the revenues accruing from the oart Charni and the batty-grounds Saunty and Chulgad, on condition that the management of the church vested in himself and his heirs. By 1637 Ruy de Souza had become incapacitated by age ; and accordingly by a later patent, dated the 3rd June 1637, the manor was handed over to his son Bernadino de Tavora, in whose possession it remained until 1659. " It being declared," so ran the patent, " that Ruy de Souza had no other son but Bernady de Tavora, the king confirmed the said Bernady de Tavora in the possession thereof, provided that he did not deprive the other heirs of the said Ruy de Souza of their rights, and provided he did not sell, change or give the said village in any shape or manner whatever without license, as it was to fall entirely under the management of one person only." A note to the patent laid down that Maneckji Naoroji's hill, the oart Charney and Varli formed part of the Mazagon estate. In 1660 the estate passed to Christovao de Souza de Tavora, who held it until 1671, when it became the property of Alvares Pires de Tavora who paid a yearly quit-rent of Xs. 1,304-2-29. How long Alvares Pires held the estate cannot be definitely stated ; but by 1727 the proprietress of the manor was Donna Senhora de Souza e

With the exception of areas like Bombay proper and Mazagon, which were granted to distinguished individuals, the bulk of the land in Bombay and Mahim had fallen by the close of the sixteenth century into the hands of religious orders. The Jesuits owned the largest share and were virtually the proprietors of all the northern areas, Mahim, Dadar, Matunga, Sion, Sewri and Parel. The immense influence thus accruing to them might easily have been utilized for the aggrandisement of Portugal's power by land and sea : but, unfortunately, their ill-advised actions not only precluded the growth of trade and population, but were also a direct source of danger to their own countrymen. They persistently destroyed Hindu temples and Muhammadan mosques, thereby harassing and putting to flight those who might under gentle treatment have colonized Bombay and

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Tavora, who lived at Bassein. From this date the fortunes of the estate commenced to decline. In 1726 the village of Varli had been sold to Antonio da Silva, and in 1731 the Senhora handed the estate over to her grandson Martinho de Silveira de Menezes and his wife Donna Marianna de Noronha, who at once instructed Wissia Senoy Telang (Vishvanath Shenvi ?) to sell it for Xs.21,500. The estate at this date comprised only two houses of any size, one of which, belonging to the lord of the manor, was in ruins, the church of Nossa Senhora da Gloria and Charni oart. In 1749 Vezry hill was detached, one Nanji Ratan bought the Bardeen batty-fields, and the Pakhadival gardens and rice fields and the Charni garden were bequeathed to the East India Company. Antonio da Silva and Antonio de Semos had purchased the estate as it stood in 1731 ; but they were powerless to resist its gradual disintegration. In 1758 the estate including the church rice-fields, subsequently acquired by the Collector, was put up to auction and sold to Richard Nowland for Rs. 22,000 a year, while the Charni oart was separately dealt with and let for Rs. 640 a year to Manekji Limji, Mungaji Babavji Esaji and Samji Dadaji. Richard Nowland's management of the estate did not meet with the approval of the Bombay Government ; and so, on the expiry of his lease in 1767, what remained of the old manor, was sold in small lots on 14 year leases, namely, (1) Naugar including Ghodap Dev to F. H. Moody for Rs. 845 a year ; (2) Mullavady including Byculla, excepting a mango-tree known as the Governor's mango-tree, to D. N. Rustomji and Dhanji Punja for Rs 410 ; (3) Cullowdy (Koliwadi) let to Raghuset for Rs. 340 ; (4) Bhandarwada let to M. Limji and B. Ramset for Rs. 500 ; (5) Mazagon Koliwadi let to R. Modset for Rs. 640 ; and (6) Charni oart to Mungaji Visaji for Rs. 715. The bulk of the estate had originally fallen into the hands of the Company by an order of the Mayor's Court in favour of the Company as mortgagees, and they initiated the system of dividing it up into small lots with a view to develop its resources. The only portion of the original manor which has survived the changes of years is the small square on which the church of Nossa Senhora da Gloria stands.

increased its commercial importance.[1] The intolerance of the priesthood indeed was the cardinal point of a malady which seized upon the whole frame of Portuguese supremacy. The Archbishop of Goa informed the King of Portugal in 1629 that "the greatest enemies to the State in India were her own people; and among all the enemies of Portugal from within, none probably did greater harm to the State of India than the Jesuits"; while in 1631 the Viceroy of Goa told the King that the priests and monks paid no attention to his orders, that the Jesuits had made themselves masters of Travancore and Tuticorin and of the pearl-fisheries in those places, retained armed bands at their own expense and actually waged war by sea against His Majesty's captains. They also held communication with the Dutch and the Moors, and had usurped from the State the royal revenues and jurisdiction; and they even went so far as to deny that the King of Portugal was lord of his possessions in India, openly neglected his mandates, and generally intrigued against the Government to which they were rightly subordinate.[2]

These internal troubles produced the inevitable result and paved the way for the advance of other European nations. Thomas Stephens, who is supposed to have

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[1] Francisco de Souza, author of *Oriente Conquistado*, gives an instance of the harsh treatment meted out by the priests to individuals. "There were cruising about the port of Bombay two vessels belonging to Malabar Moors. D. Fernando de Castro, the captain of Chaul, sent against them Matheos Gomide, who returned to Chaul with one of the vessels, the Moor Captain and twenty-three prisoners. The prisoners were all sentenced to death; and six died without anyone asking them if they would exchange the Koran for the Gospel. The remainder, including the captive captain, became Christians and afterwards died with their captain as true soldiers of Christ." Treatment of this kind provoked reprisals, as for example in 1570 when ten galley-loads of Malabar pirates pillaged the town of Thana and stole the great bell of the Cathedral, while the people were celebrating the feast of *Expectação*.

[2] The Viceroy, Count de Linhares, gives as an example the conduct of the priests of Bandora, who continually threw bombshells on the King's vessels entering the Bandora creek, and made whatever land-revenue regulations they pleased. On one occasion the Augustinians proved so defiant that the Viceroy had to plant a battery against their convent, whereupon they prevented the soldiers firing by exposing the Sacrament in front of the walls. See also Manucci, Storia de Mogor, III.

been the first Englishman in India, came out to Goa in 1579, where he afterwards became Rector of the College of Rachol and thence despatched to his father, a London merchant, such advices as prompted the mercantile community of London to pay attention to the possibilities of Indian trade. As early as 1563 a Venetian merchant had travelled to the west coast of India by way of the Persian Gulf, and described Ahmadabad and Cambay as towns with an extensive trade[1]; but it was not till twenty years later (1583) that the first English traders set forth for the shores of Western India. In that year Ralph Fitch, John Newberry, Storie and Leeds, choosing the same route as the Venetian, arrived at Goa, where the Portuguese, suspecting that they had come to trade, cast them into prison. Through the mediation of Thomas Stephens, they were eventually released, whereupon Fitch returned to England, Leeds entered the service of the Great Mughal, and one of the other two married a Eurasian wife and settled in Goa. Meanwhile certain English merchants presented a memorial to the Lords in Council, in which permission was sought to trade with ports bordering on the Indian Ocean and the China Seas; and a request was preferred for the Queen's license "for three ships and three pinnaces to be equipped and protected in this trade, without being subject to any other condition than that of payment of customs on their return." The memorial was favourably received, and in 1591 Captain Raymond was despatched with three ships the *Penelope*, *Merchant Royal* and *Edward Bonaventure*. The expedition was unsuccessful; and after heavy losses at sea, a few survivors managed to reach Falmouth in August, 1594. Captain Lancaster, one of the survivors, set on foot another expedition, which sailed in 1596 with letters from the Queen to the Emperor of China, and was never heard of again. At length, on the 22nd September, 1599, an association of merchant adventurers was

[1] He travelled from Ankola to Goa in a palanquin, and was attacked on the road by robbers, "who stripped him naked and would have plundered him of all he possessed if he had not, before starting, taken the precaution to conceal his valuables in a bamboo." Edwardes' Rise of Bombay.

formed under the presidency of the Lord Mayor, for the purpose of establishing trade between England and India; the Queen's sanction was received towards the close of 1600; and in 1601 a fleet was prepared and sailed from Woolwich under the command of Captain Lancaster. Having visited Achin and established a factory at Bantam, Lancaster returned with a cargo of pepper in September, 1603. Emboldened by his success a fresh expedition set forth in the following year under the command of Hawkins of the *Hector*, who, arriving at Surat with a cargo of iron and lead, was allowed to land peaceably and thence started for Agra with a letter from King James to the Mughal. Failing to obtain permission to establish a factory at Surat, Hawkins returned to England in 1612. But in the meanwhile Sir Henry Middleton, who commanded the sixth voyage of the London East India Company, had sailed for India and anchored off the bar of Surat. Sir Henry had strict orders not to offer violence to the Portuguese, unless they openly assailed him, as up to that date no collision had occurred between the representatives of the two nations in India. Of the insults put upon him by the Portuguese, of their refusal to allow him to trade or to take on board Captain Sharpeigh of the *Trades-Increase* it is unnecessary here to speak, beyond recording that Best's dogged courage won from the Mughal a *firman*, authorising an English minister to reside at his court and opening to the English the trade of Surat.[1] In January 1615 was fought the naval battle of Swally (Suwali), which laid the foundation of the British empire in Western India; and from that day forward the English began gradually to strengthen their position on the coast, joining with the Dutch in blockading Goa and finally in 1626 making a joint attack with the latter upon Bombay.[2]

Antonio Bocarro, in the course of a description of Bombay in 1634, remarks that "anyone coming from seaward must steer north-east, keeping clear on the

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[1] Carlyle's Historical Sketches, 90-91.

[2] See page 34 *supra*.

sea-side of the islet of Candil (Khanderi or Colaba?). There is a rocky ridge which juts out southward from the land and extends half a league into the sea. It is all rock and is quickly covered by water; so that if a vessel fails to take heed she is sure to run against it. On the land-side there are houses of the *Vazadar* or lord of the manor. There is also a bastion of the area of about ten paces, on which are mounted four iron guns. There is no soldier in this bastion, nor anything for its defence, except what the lord of the manor supplies at his own cost, without any charge to the Royal Treasury. The small and scattered population of Bombay consists of eleven Portuguese families. These together with the blacks make up seventy musketeers."[1] South of the manor-house lay the parish of Pallo (Apollo), opposite which in the sea were set the fishing-stakes of the Kolis, who dwelt in Colaba and in parts of Bombay itself. West of the garden lay the wide stretch of the maidan, terminating in orchards and groves, which reached to the foot of Malabar Hill. Several houses of the Indo-Portuguese, Bhandaris, Kolis and Agris lay scattered among these groves; there was the fair-sized village of Cavel forming a portion of the maidan or Esplanade parish; and northward of it several fields reserved for rice-cultivation. Though the *Srigundi* still existed at the end of Malabar Hill, the Walkeshwar temple lay in ruins; and the shrines of Mahalakshmi and her sisters had also, for the time being, disappeared, the goddesses waiting in concealment until a milder feeling should prevail towards the deities of Hinduism. North

[1] *Livro das plantas das fortalezas.*—The houses of the lord of the manor included the *Quinta* which in 1661 belonged to Donna Ignez de Miranda. "Around the house," wrote Fryer (1674), "was a delicate garden, voiced to be the pleasantest in India. This garden of Eden or place of terrestrial happiness would put the searchers upon as hard an inquest as the other has done its posterity. The walks which before were covered with Nature's verdant awning, and lightly pressed by soft delights, are now open to the sun and loaded with hardy cannon. The bowers dedicated to rest and ease are turned into bold vampires for the watchful sentinel to look out on. Every tree that the airy choristers make their charming choir trembles at the rebounding echo of the alarming drum; and those slender fences, only designed to oppose the sylvan herd, are thrown down to erect others of a more warlike force."

of Dongri, inhabited by Kolis and perhaps by a few Prabhu and Brahman inhabitants, lay the island and manor of Mazagon, which served as the home of Portuguese, Kolis, Agris, Malis, Bhandaris and perhaps a few Hindu scrivains (clerks). The northern islands were, as above remarked, given over wholly to the Jesuits, who owned houses and demesnes in Parel, Sion and Mahim. The latter island was probably peopled by small numbers of Portuguese, by Prabhus, Brahmans of Palshikar or Shenvi caste, a few Muhammadans and the lower classes of Hindus. Similarly at Naigaon the Prabhu and Brahman must still have been resident, though the latter found it harder than the former to maintain a livelihood and reputation amongst those who, once his disciples, had been largely persuaded or forcibly driven to become Christians. The Prabhu, on the contrary, being a man of business, could still comfortably subsist by petty trading or by acting as a rent-collector and agent of Portuguese landlords. The defences of the island consisted of "several strong castles, such as that of Bombay, that at Dungerrey (Dongri), that at Leyam and that at Mahim"[1]. The trade of the islands was not great, being confined for the most part to the sale of dried fish, and the revenues of the Portuguese landlords were drawn mostly from taxes upon rice-lands, payable in kind, upon oil and *ghi*, and upon the cocoa-nut palms, date-palms and areca-nut palms, with which the island abounded[2].

Notwithstanding the poverty, however, the immense natural advantages of Bombay aroused the cupidity of the English who recognized its value as a naval base. It was for this reason that they fought the battle of Swally in 1612; that they landed in Bombay and burnt the manor-house in 1626;[3] that in 1652 the Surat Council

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1 Clement Downing's Compendious History of the Indian Wars.

2 Edwardes' Rise of Bombay.

3 In his new edition of the Report on the Old Records of the India Office, published by order of the Secretary of State, Sir George Birdwood shows that as early as 1626 Bombay had been seized from the Portuguese by the English in co-operation with the Dutch and abandoned for some unknown reason. History is silent on this subject. There are contemporary references to the

urged the purchase of Bombay from the Portuguese; and that in 1654 the Directors of the East India Company drew the attention of Cromwell to this suggestion, laying great stress upon its excellent harbour and its natural isolation from land-attacks. By the middle of the seventeenth century the growing power of the Dutch and the disturbances to which Shah Jahan's death gave rise, absolutely forced upon the English Company, both in Surat and London, the need of a station of their own in Western India; and under orders from the Directors the Council at Surat made enquiries, and finally reported in 1659 that every effort should be made to obtain from the king of Portugal the cession of either Danda Rajapur, Versova or Bombay [1]. Thus the train was laid, which culminated in the marriage-treaty of Charles II and the Infanta Donna Catharina of Portugal, and placed Bombay island in the possession of the English Crown.

British Period, 1661-1677.

The various attempts of the English to obtain possession of Bombay, mentioned at the close of the preceding paragraph, were the outcome of the general policy of the East India Company which justly foresaw that British trade-interests in India could not flourish unless it secured "fortified stations yielding a revenue equal to the charges of them" and also maintained at such stations a naval and military force sufficient to render the Company wholly independent of the intrigues and quarrels carried on between the Native Powers of the continent. [2] In regard to Western India in particular the growing power of the Dutch and the disturbances consequent upon the death of Shah Jahan impressed upon the Company the imperative need of obtaining a

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enterprise which Sir George Birdwood has discovered among the archives of the India Office. Among the Ships Journals preserved in the Military (Marine) Department of the office, there are journals of three Englishmen present on the occasion.

[1] Bruce's Annals, I, 548. The value of Bombay harbour was quite as fully recognized by the Portuguese in India. The Count of Linhares, as Viceroy of Goa, wrote a letter to the king of Portugal, dated December 4th, 1630, in which he greatly extolled its advantages.

[2] Bruce's Annals, II, 672-73.

fresh station auxiliary to their chief settlement in Surat [1] and it must therefore have been with no little sense of relief that they received the news of the signing of the marriage-treaty between Charles II and the Infanta Catherine of Portugal at Whitehall on the 23rd June 1661, whereby the Port and Island of Bombay "with all the rights, profits, territories and appurtenances whatsoever thereunto belonging" were handed over to the King of Great Britain, his heirs and successors for ever. [2] In pursuance of the terms of the treaty the Earl of Marlborough was despatched from England in March 1662 with five ships [3], five hundred soldiers under Sir Abraham Shipman, and with Antonio de Mello de Castro, Viceroy of the King of Portugal on board, to take delivery of the island. [4] The fleet arrived at Bombay in September 1662, and the Earl at once sent a formal demand for possession to the Portuguese Viceroy and it was then for the first time that the representatives of the English Crown discovered firstly that the island was by no means the considerable possession that the

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[1] *Ibid*, I, 548.

[2] *Ibid*, II, 104-105. The transfer of Bombay to the English Crown was effected by the eleventh article of the treaty. There was also a secret article which obliged the King of England to guarantee the Portuguese possessions in India and to act as mediator between the Portuguese and the Dutch, and if necessary to make war upon the latter on behalf of the Portuguese Crown. "By the marriage treaty (Charles II) became unquestionably entitled among other livings to Bundara, Trombay, Marversova and other places on or adjoining to the Island of Sulsitte and to carriage with the islands and places lying near to or in the harbour of Bombay and by the same treaty he became entitled to all the duties payable from the said places to the Mandavie or custom house of Mahim or Bombay." (Description of the Pört and Island of Bombay. Printed 1724.)

[3] The five ships were the Dunkirk, Leopard, Mary Rose, Chesnut Pinnace and the Convertine. Court of Directors to Sir G. Oxenden, 1661-62.

[4] By special orders of the King Sir A. Shipman was appointed Governor and Commander-in-Chief of Bombay and of "any part of the firm land in the East Indies which shall either be conquered by us, or be rendered and delivered up to us." "Subjects and strangers were to be encouraged to trade and all help was to be given to the Portuguese in the protection of their trade and navigation." King's Orders, 1662.

The troops under the command of Sir A. Shipman amounted to 4 companies of 100 men each, besides officers and others. Edwardes' Rise of Bombay.

authorities in England believed it to be, and secondly that in spite of its manifest poverty the agents and subjects in India of the Portuguese King had determined not to hand it over to the English without a struggle.

In regard to the first point one may recall Lord Clarendon's misty notion of "the Island of Bombay with the towns and castles therein which are within a very little distance from Brazil"[1]; the statement of Captain Browne of the Dunkirk that the island had been "most strangely represented to His Majesty"[2]; and the words of Gerald Aungier[3] to the effect that "the place does not answer our King's expectations by four-fifths of what was represented to him. For by the draught which was delivered to His Majesty, Bombay, Salsette and Thana were included all in one Island and all under the same and royalty of Bombay; but Captain Browne and myself having sailed round this Island do find it far otherwise, being in extent scarcely one-fifth part of the other two Islands; and this is all the Portugals intend to surrender to us." Pepys' description of "the poor little Island" and his reference to the "inconsiderableness of the place of Bombaim"[4] were fully justified by the evidence of the English authorities in Western India and corroborate Baldeus' statement that by virtue of the marriage-treaty "the English thought to have got a great booty from the Portuguese, whereas they (Tangier and Bombay) are in effect places of no considerable traffic."[5] As regards the second point it is clear that the Portuguese in India were fully alive to the potentialities of Bombay and of its harbour and were very zealous of any infringement of the rights which they as tenants-in-chief of the King of Portugal had enjoyed for more than a century.[6] For as late as January, 1665, when the final orders to cede the island were received from Portugal,

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[1] Edwardes' Rise of Bombay.

[2] Missing Papers. Captain Browne to Sir G. Oxenden. Sept. 20, 1662.

[3] Gerald Aungier to Sir G. Oxenden. Sept. 26, 1662.

[4] Pepys' Diary.

[5] Baldeus' Description of the East Indies, Amsterdam, 1672.

[6] Edwardes' Rise of Bombay.

Antonio deMello deCastro, Viceroy of Goa, wrote to the King :—" I confess at the feet of your Majesty that only the obedience I owe your Majesty as a vassal could have forced me to this deed (*i.e.*, the cession of Bombay), because I foresee the great troubles that from this neighbourhood will result to the Portuguese and that India will be lost on the same day on which the English nation is settled in Bombay ".[1]

Under these circumstances the Viceroy of Goa decided upon a policy of procrastination. On receipt of the Earl of Marlborough's formal demand, he spent five days in consultation and then replied that he was not authorized to hand over Bombay without "His Majesty of of England's immediate letter confirmed by his own hand and seal," adding that further instructions forbade him to give possession before the end of the monsoon.[2] The King of England's letter was in possession of Sir Abraham Shipman, who did not arrive in Bombay till a month later; and in the meanwhile the Earl, finding that he could make no impression upon "the pride of the perfidious Portugal "[3] contented himself with asking permission to land the English troops. This however was only permitted on condition that the men came ashore unarmed;[4] and matters remained in an *impasse* until Sir A. Shipman cast anchor in the harbour. Thereupon the astute Portuguese discovered fresh reasons for delay, objecting that the form of the letters or patents did not coincide with the usual form observed in Portugal and that he must have a fresh authorization from Lisbon and England.[5] And in October 1662, the Earl of Marlborough, seeing that no step towards deli-

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[1] Da Cunha's Origin of Bombay. J. B.B.R.A.S. p. 258. A. de Mello de Castro was both Viceroy of Goa and Agent of the Portuguese King for the cession of the Island. It was in his former capacity that he kept postponing the surrender of Bombay: and his reasons are given in a letter to the King of Portugal of Dec. 28, 1662. Tratados. T. III. 38, quoted in Da Cunha's Origin of Bombay, p. 248.

[2] Aungier to Sir G. Oxenden, September 26, 1662.

[3] Captain Browne to Sir G. Oxenden, September 20, 1662.

[4] Aungier to Sir G. Oxenden, September 26, 1662.

[5] State Papers, App. II, Bombay City Gazetteer Materials.

very could be taken pending receipt of final orders from Europe, decided to return to England with the fleet. "All the art or contest I could use," he wrote, "could not persuade the surrender of this paltry island, most basely deserted to the Arabians[1] the last year. * * * * * * I am more sorry for the King's dishonour and losse than for mine own trouble and care, which yet is like to fall heavy upon me, though not I hope by any default of mine."[2] The Earl eventually set sail with the fleet on the 14th January 1663; while Sir A. Shipman and the soldiery were forced to land on the unoccupied island of Angediv, twelve leagues to the south of Goa,[3] where lack of proper food and an evil climate caused the death of nearly all of them,[4] including Sir A. Shipman himself.

Just prior to Sir A. Shipman's death in April 1664[5] he received a fresh commission from King Charles, dated 23rd November 1663, which authorised him to receive possession of Bombay from the Portuguese Viceroy; but as he died before any definite step could be taken, the Supreme Court at Goa decided, after some correspondence with Antonio de Mello de Castro, that the island should be handed over to Humphrey Cooke, who had been Sir A. Shipman's secretary and

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[1] This Arab attack in 1661-62 is referred to twice in the State Papers, once in the letter quoted above and again in a letter from the Surat Council to the Directors, dated March 26, 1667, where Bombay prior to the cession was described as "an open place whereon lived a few Portugalls and the rest natives that had not the strength or courage to withstand a few small vessels sent by the Arabs, but fled leaving the place to be pillaged and ruinated by fire arms, 1662."

[2] Earl of Marlborough to Sir G. Oxenden, October 8th, 1662.

[3] Sir A. Shipman had asked Sir G. Oxenden's permission to locate the troops at Surat; but the latter refused for fear of giving offence to the Mughal Governor of that town. State Papers, Bruce's Annals, II, 126.

[4] Surat Council to Directors, April 6th, 1663:—"The soldiers on Angediv addict themselves to nothing but drunkenness and will not so much as take the pains to build themselves sheds or houses to keep the weather from them." And again on November 14th, 1663:—"Sir A. Shipman is still at the isle of Angediv where we hear he hath lost the greatest part of his men, it is conceived, more by their intemperateness, ill-diet and want of being well-stored with necessaries than the malignity of the air."

[5] He is also stated to have died in October 1664.

had been nominated by the latter in his will as his successor. [1] Further desultory correspondence ensued, in consequence of the fact that Humphrey Cooke was not a *persona grata* with either the Portuguese or the English at Surat, [2] but eventually the instrument of cession was despatched from Goa on the 17th January 1665, and on the 18th February of that year Humphrey Cooke "took himself personally possession and delivery of the said island of Bombay" after signing the instrument of possession in the manor-house of D. Ignez de Miranda, the Lady of the island. [3]

Humphrey Cooke's first action after obtaining possession of the island was to take a muster, at Sir G. Oxenden's request, of the remnant of Sir A. Shipman's forces which had accompanied him to Bombay [4]; and his second was to endeavour to cancel the restrictions which the Portuguese had imposed upon him by the articles of cession. In pursuance of their original policy the Portuguese not only declined to hand over Salsette, but they also declined to deliver up Mazagon, Parel, Varli, Sion, Dharavi and Vadala, which had clearly been considered a part of Bombay in the original treaty between the monarchies of Portugal and England, alleging that these islands were dependencies of the more important island of Mahim and not of Bombay [5]; and further they inserted clauses, to which Cooke also agreed, whereby Portuguese boats were allowed to pass and repass the island without paying any duty. [6] Cooke fell into great disfavour both with the Government in

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1 Da Cunha's Origin of Bombay, p. 255-56.

2 Sir G. Oxenden wrote in reference to Cooke on November 24th, 1666:—"I am sorry to say he was once a pretender to be a merchant himself."

For further particulars, see Da Cunha, Origin of Bombay, p. 261 *et seq*. The island at the date of the cession belonged to D. Ignez de Miranda, widow of D. Rodrigo de Monçanto, as Lady of the Manor.

4 The survivors were one Ensign, 4 Sergeants, 6 Corporals, 4 Drummers and 97 Privates, a Provost-marshall, 2 Surgeons and a few Gunners. State Papers, February 25th, 1664-5.

5 Edwardes' Rise of Bombay. Da Cunha, Origin of Bombay, p. 263, 265.

6 Downing, Compendious History of the Indian Wars.

England and with the Council of Surat for agreeing to these restrictions and generally for signing "so derogatory and unjust a convention"; but it probably occurred to him that he was likely, by insistence upon the full terms of the marriage-treaty, to prolong the negotiations indefinitely and might even be forced to return to an island the climate of which had already caused the death of a considerable number of his compatriots, and that under these circumstances it was better policy to take Bombay with all the restrictions the Portuguese might impose and trust to cancelling them after he had the island in his grasp.[1] Be this as it may, Cooke at once set himself to counteract what King Charles II styled "the manifest injustice of the capitulation" by seizing on the flimsiest pretexts the lands contiguous to the island of Bombay proper, by imposing a duty upon all Portuguese goods,[2] by inviting native merchants to settle in Bombay,[3] and by endeavouring to strengthen the garrison. Antonio de Mello de Castro in a letter to the King of Portugal, 5th January 1666, remarked :—"During the last monsoon I informed your Majesty that I had handed over Bombay. Now I will relate to your Majesty what the English have done and are doing every day in the way of excesses. The first act of Mr. Humphrey, who is the Governor of that island and whom I knew in Lisbon as a grocer, was to take possession of the island of Mahim in spite of my protests, the island being some distance from the island of Bombay, as your Majesty will see from the map I send herewith. He argues that at low tide one can walk from one to the other, and if this is conceded your Majesty will be unable to defend the right to the other northern islands, as at low tide it is possible to go from Bombay to Salsette, from Salsette to Varagao (Baragaon), so that in order not to lose the north, it will be necessary to defend Mahim. He has done more. He has obliged the Roman Catholics to take an oath, by

[1] Edwardes' Rise of Bombay.

[2] Downing's History of Indian Wars.

[3] Da Cunha, Origin of Bombay, p. 267.

which they openly deny the jurisdiction of the Supreme Pontiff and Head of the Church. The inhabitants of the north would have taken up arms and driven out the English from thence, if I had not had my suspicions and prevented them, by assuring them that your Majesty was actually in treaty about the purchase of Bombay. And although the name of Humphrey Cooke appears in all these matters, an awful heretic named Henry Gary, a great enemy of the Portuguese nation, is the author of all these things. I believe, however, that before your Majesty remedies this, the Dutch will drive those people thence, as I am told they are preparing a large armada to besiege Bombay."[1] While he thus irritated the Portuguese, Cooke also fell foul of the Mughal Government and the factors at Surat. The former strongly objected to his overtures to native merchants,[2] were afraid of his manifest attempts to strengthen Bombay, and found a ready cause of offence in Cooke's unauthorized seizure of one of their ships; while the latter could not brook his rough and ready style of correspondence and were alarmed at the accounts of his personal behaviour which reached them from Bombay.[3] "Humphrey Cooke," they wrote to the Court of Directors on the 1st January 1666, "gives us continual troubles in his daily importunities for money, to raise soldiers, forts and we know not what other bold designs, that we have been very weary with answering

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[1] Da Cunha, p. 268. The Dutch anchored at Surat in April 1666, and were reported to be about to attack Bombay. Subsequently the Surat Council wrote to Cooke that they had discovered "over a glass of a wine with the Dutch" that the Dutch General Rickloffe van Goens had postponed his operations owing to the lateness of the season.

[2] Armenian merchants were among those invited by Cooke to Bombay. He offered them "many privileges and immunities, amongst the rest land to build them warehouses and dwellings, also a church for the service of God." Surat Council to Court, 1st January 1666.

[3] Surat writing to the Court in January 1666 reports that "H. Cook is little better than distracted, doing nothing personally, but keeps himself mewed up in a chamber, eating and drinking alone by himself, from whence it is said he hath not stirred out above twice since he came upon the island, being full of fears and suspicions of everybody, that our doctor and others that have lately seen him report that he hath brought himself so low in his body and become so fretful and peevish that hath made him not only very crazy in body but in mind also."

his letters, and upon our just denial of his unreasonable demands we have received such indignities and opprobrious terms to the great prejudice and dishonour of the Honorable Company and ourselves that we want both words and leisure at present to express them and him in his right colours."

Under these circumstances the Crown decided to relieve Humphrey Cooke of his duties and supersede him by Sir Gervase Lucas,[1] who accordingly arrived in Bombay as Governor and Commander-in-Chief on the 5th November 1666. Though instructed, if he thought fit, to offer the post of Deputy Governor to Cooke, Sir Gervase Lucas found matters in Bombay in so serious a condition that he not only could not offer him the post in question but was obliged to incarcerate him on a charge of extorting Rs. 12,000 from the inhabitants and of criminal mismanagement of Sir A. Shipman's estate. "Bombay island," wrote Sir Gervase to Lord Arlington on the 21st March 1667, "is for its magnitude one of the most pleasureable and profitable islands in India. The whole island is an *orto* or place planted with trees which yield great profit. And if Mr. Cooke had not sullied His Majesty's Government by taking bribes and as well indiscreetly as unjustly obstructed His Majesty's title to most of the best estates in the island, most of the inhabitants had by this time paid His Majesty's rent." So for a brief space Humphrey Cooke disappears from history. In spite of the verdict which must be passed upon his internal administration of Bombay, he surely deserves credit for inaugurating a policy of aggrandisement primarily designed to benefit English interests in Western India. Notwithstanding the protests of Antonio de Mello de Castro and Ignacio Sarmento de Sampaio,[2] Cooke managed to acquire the villages of Mahim, Sion, Dharavi and Vadala, and had his action upheld by a commission

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[1] Sir G. Lucas had taken part in the Civil War as a staunch royalist. As Governor of Belvoir Castle he escorted Charles I in his escape from the field of Naseby. He was described by the Court of Directors as "a person of that honour and prudence as not to countenance or give protection to any of our refractory servants." Court to Surat, 24th March 1666.

[2] Da Cunha, Origin of Bombay, 264.

which was locally appointed to decide between the claims of the Portuguese and the English Crown in the matter of these areas; so that by the time Sir Gervase Lucas arrived, Bombay included all the islands except Colaba and Old Woman's Island, which have been united into the modern island of Bombay.

Sir Gervase Lucas did not live long enough to initiate any sweeping alterations, but his policy even during the short period of his governorship was in consonance with that of his predecessor and was designed to satisfy Charles II's hope that Bombay would become "the flourishingest port in India." Before sailing from England he pointed out the ruinous state of the Bombay fortifications and the need of a stronger garrison, and was permitted by the Crown to take with him "a reinforcement of 60 men under a lieutenant, together with a supply of clothes, ammunition and stores, and a small vessel to be attached to the garrison"; while after arrival he was responsible for confiscating on a charge of treason a large tract of land in Bombay to which the Jesuits' College at Bandora laid claim and which they had threatened to defend by force.[1] On Sir G. Lucas' death on the 21st May 1667, the reins of Government were handed over to Captain Henry Gary who was serving at that time as Deputy Governor. No sooner had the news become public than Humphrey Cooke, who had escaped from durance vile and was living at Goa under Jesuit protection, sent in a claim to Gary to succeed to the governorship. A good deal of correspondence ensued, which ended on the 24th June 1667 in the following letter from Gary and his Council to Cooke:—"We thought that the answer we sent you to your last by the same messenger had been so civil and satisfactory that you would not put yourself and us to the trouble of any more scribbling. * * * * * But finding our expectations deceived and again alarmed with another nonsensical paper from you (for we cannot term it either letter or epistle) we do by these return our

[1] Edwardes' Rise of Bombay, p. 105. Da Cunha, p. 271. Sir George Oxenden in a letter to Lord Arlington, dated 24th January 1667, describes Sir G. Lucas as winning all hearts, enlarging the revenues of Bombay and finding out many royalties which had been purloined from the Crown.

sense unto you of your unwarrantable and foolish proceedings. We do every one of us particularly as well as generally protest against you, Humphrey Cooke (according to our bounden duty which we do understand better than you do yours) as a Rebel and Traitor."[1] Smarting under a sense of defeat and urged on by the Portuguese who saw in him a suitable agent for annoying the English in Bombay, Humphrey Cooke voyaged up to Bandora, where with the help of the Jesuits he endeavoured to attack Bombay. For a time matters looked serious, as the Jesuit emissaries had worked upon the mind of the native population.[2] But the Bombay Council managed to hold their own; and at length Cooke, fearing to be arrested as a traitor and finding the Portuguese ill-prepared for a struggle, departed to Bassein and died soon afterwards in a monastery belonging to the Order of Jesus in Salsette.[3]

Meanwhile Gary had not been idle. He raised the general revenues of the island by 5,214½ Xeraphins to £6,490-17-9 sterling, the tavern dues (excise) from Xs. 400 to Xs. 2,400, the tobacco farm receipts from Xs. 6,000 to Xs. 9,560, and customs receipts from Xs. 4,100 to Xs. 18,000[4]; he enlarged the land-forces by enrolling

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[1] State papers. Bombay Gazetteer Materials, App. II.

[2] Gary writing to the Earl of Clarendon on December 12th, 1667, remarks:—"The great wrongers of His Majesty's rights here have been the Jesuits who have not spared for sweat or charge to embroil His Majesty's affairs, endeavouring to divide the inhabitants of this island, first amusing them with strange suggestions that this island shall be re-delivered up to the King of Portugal, thereby weakening the (otherwise obedient) hands of these His Majesty's subjects and essaying to shake and falsify their loyalty. * * * * Whereupon they would needs be so presumptious as to set up an Anti-Governor, a Perkin Warbeck, the late pretended Governor, Humphrey Cooke, whom they told *Nil desperandum Christo duce et auspice Jesu*. Being thus enhardened by their impetuous solicitations, he became the head of a rebellion to the danger of his head."

[3] The letter above-mentioned also states that after being proclaimed a traitor, Cooke went to Bassein, thence to Daman and thence to Surat, where he was arrested by Oxenden. But the *Monthly Miscellany*, p. 49, states that "he killed himself from mere vexation of spirit in his self-exile among the cowled brethren of the order of Jesus."

[4] Edwardes' Rise of Bombay. Gary's letters of 12th December 1667 to the Earl of Clarendon and Lord Arlington. To the revenue mentioned above was added the revenue of all the oarts belonging

"150 new Deccanis in consequence of Dutch alarms" and "mounting the artillery on substantial carriages"; he improved the fortifications; and he kept so watchful an eye upon the machinations of the Portuguese that the triumvirate of gentlemen who were carrying out the duties of the Viceroy at Goa in January 1670, described him as "very astute and an enemy of the Portuguese nation."[1] The chief source of friction with the Portuguese concerned the port-dues which the Portuguese levied on Bombay boats at their own ports and which they declined to pay for their own boats at Bombay. These dues were generally excessive. Humphrey Cooke had been forced to put soldiers on board to resist the levy of a 12 per cent. duty imposed upon merchandize and provisions brought by Bombay boats from mainland ports;[2] Sir G. Lucas had had great trouble with the Portuguese at Mahim bandar; and Henry Gary likewise fought for recognition of the right of Bombay vessels to exemption from dues at Portuguese ports.[3] But he was unable to effect any amelioration of existing trade-conditions; and he also alienated the council at Surat by granting passes in the king's name to native vessels, which the Company's agents considered an infringement of their prerogatives.[4]

The system of independent granting of navigating passes, the private trading in which the Crown representatives in Bombay indulged, and the hostilities which the latter provoked with Native powers (chiefly the Mughal government) and for which the East India Company were held responsible by those powers, caused endless friction between the Surat factors and the king's agents in the island and eventually led to the transfer

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to the Jesuits and Portuguese inhabitants of Bandora, which Sir G. Lucas had confiscated. This revenue aggregated Xs. 20,435-2, 20 res per annum. [13 xeraphins=22/6 sterling].

[1]The garrison numbered 93 English and 285 men in all, including French, Decannis, and Portuguese. There were 16 horses in the stables "prudentially designed by Sir G. Lucas for the entertaining of correspondence from the several parts of the island upon occasion." The European troops cost £226-2-0 per mensem. [Gary to Lord Arlington, 12th December, 1667]. See Da Cunha, p. 270.

[2] Edwardes' Rise of Bombay. Tratados, III. p. 118.

[4] Da Cunha, p. 272.

of Bombay from the Crown to the Company under a Royal Charter, dated March 27, 1668, which specified that the Port and Island of Bombay were to be held "in free and common soccage, as of the manor of East Greenwich," at a farm rent of £ 10, payable on the 30th September in each year.[1] The copy of the charter and a warrant from the king to Sir George Oxenden arrived on 1st September 1668, and two days later the Surat Council held a meeting and decided to depute Mr. John Goodier, Captain Young and Mr. Streynsham Masters as Commissioners to take delivery of the island from Captain Gary.[2] The Commissioners reached Bombay on the 21st September 1668, and handed the king's warrant to Captain Gary; and after a day spent in preparation for the ceremony, landed with military honours on Wednesday the 23rd.[3] Thus Sir George Oxenden, as President of Surat, became the first Governor of Bombay under the regime of the East India Company, and up to the date of his death at Surat (14th July 1669) endeavoured through his delegates to carry out the policy of the Court of Directors, which aimed at encouraging trade in all possible directions, en-

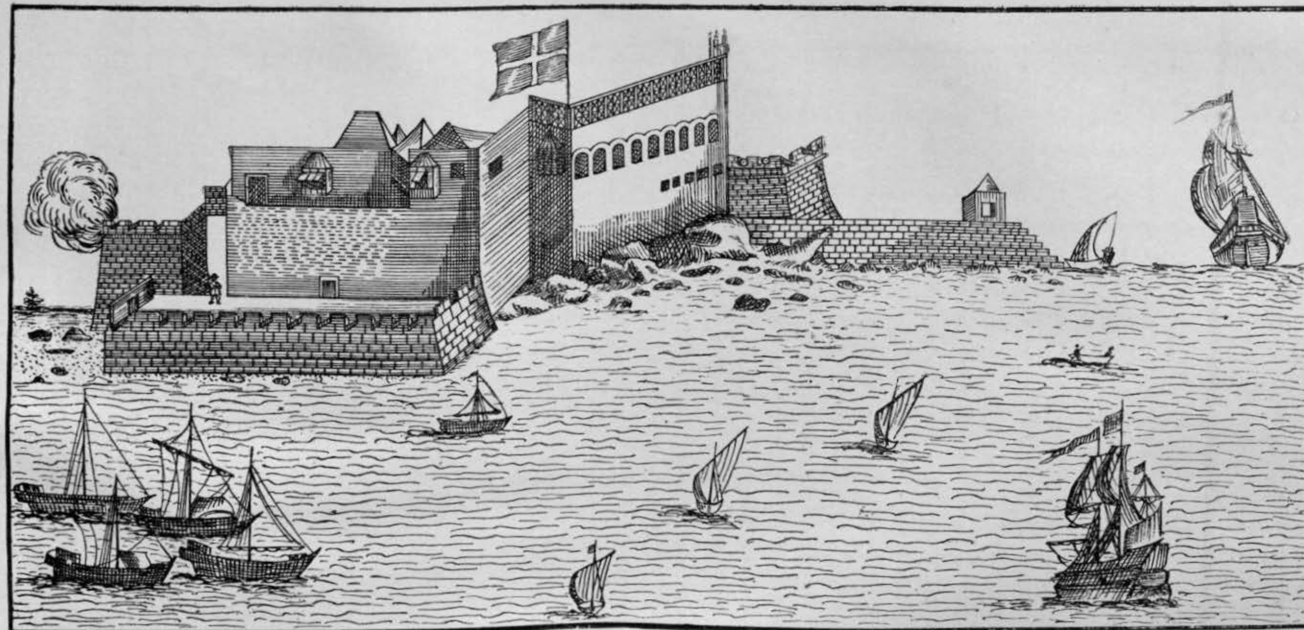
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[1] Anderson (English in Western India) describes Gary as "proud wasteful and extravagant," and Fryer states that "the pomp and expenses maintained by Gary" were the real reason of the transfer. For a further reason, connected with the Treaty of Breda and the influence of the Duchess of Portland, see Edwardes' Rise of Bombay, p. 106, and Da Cunha, p. 274. The reasons given in the text coupled with the king's indifference to the welfare of Bombay, were the real underlying facts of the transfer.

[2] The Directors writing to Surat on March 27, 1668, stated that they had accepted Bombay in order to prevent trouble arising from quarrels between the Surat Council and Crown representatives in Bombay. They instructed Surat to appoint a factor from Surat as chief of Bombay to encourage immigration and make the place a port, to employ the soldiery in planting and building to form trained bands or militia; and they promised "to try and procure the civillest English women and send them unto you, that we may have a colony of English in time to continue on the Island." The revenue of Bombay was estimated in the same letter at 34,000 pardaos= £ 2,833-6-8 a year, the chief items being as follows:—

Tobacco Stank...	12,000	pardaos.
Cotto or whetting of knives...	2,000	,,
Salt	1,000	,,
Mahim Customs	5,000	,,
Arrack farm	2,000	,,

[3] For full particulars of transfer, see Bombay Gazetteer Materials, XXVI. I. 31-35. Captain Gary was given a seat in Council at Surat as a solatium and subsequently was appointed Judge at Bombay, in 1678, on a salary of £ 90 a year.



(Ovington's *Voyage to Surat.*) THE DELINEATION OF HIS MAJESTY'S CITADEL AND FORT OF BOMBAY, APRIL 2nd, 1668

couraging people of all classes to settle on the island, and rendering Bombay proof against all attack.[1] In pursuance of these objects the Court of Directors despatched several soldiers and artificers to Bombay in 1668,[2] ordered the construction of a custom-house, warehouse and quay and appointed a chaplain on £ 100 a year with an assistant chaplain on £ 60, who was also to be "Master of a free school" on the island; while the local authorities indented upon England for a Judge-Advocate to decide "causes of *meum* and *tuum* among the litigious inhabitants of the island," commenced building the fortifications, began purchasing land in the vicinity of the Fort, and placed the defences of the island on a better footing.[3] In spite however of orders both from the Court of Directors and the Surat Council, the progress of the island was to some extent jeopardized by the behaviour of the Deputy Governor, Captain Young, who had eventually to be removed from his post for gross misconduct; while the climate had already begun to acquire the terrible notoriety which justified Ovington in describing Bombay at the close of the 17th century as "nought but a charnel-house."[4]

The progress of Bombay did not indeed assume very definite proportions until Mr. Gerald Aungier, "that

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[1] Edwardes' Rise of Bombay. Bombay Gazetteer Materials, XXVI. I. App. II., 58.

[2] They also despatched English women to Bombay with a view to increase the English population, referring to them as follows in a letter of August 24, 1668:—"And for such Single women or maids as shall now come unto you we order that if they desire it and do not otherwise dispose of themselves by marriage to Englishmen that then for one year after their arrival they shall have victuals at our charge with one suit of wearing apparel, such as shall be convenient according to the fashion of the country, during which time they are to be employed in our service as you shall order and think fit, but not to be employed in planting; and we do not consent that the said English women or maides be permitted to marry any other people but those of our own Nation or such others as are Protestants and upon their marriage to free."

[3] Edwardes' Rise of Bombay, p. 107. Letter from Bombay Commissioners to Surat, October 30, 1668.—Bombay Deputy Governor and Council to Surat, March 17, 1669. The small Forts at Mazagon, Sion, Mahim and Varli were also supplied with cannon. Da Cuhna, p. 275.

[4] Writing on October 30, 1668, the Commissioners at Bombay asked for some "Shiraz wine to encourage our water by the badness whereof and the malignity of the air we have had divers sick." They further demanded medicines, particularly "marmaled of Bussora for the flux, the epidemical disease of this place."

chivalric intrepid man who dared a not less potent spirit in the Dutch Commodore Van Goen", became President of Surat and Governor of Bombay in July 1669. In January of the following year he arrived in Bombay from Surat and, after investigating the accusations against Captain Young, he promulgated the Company's regulations for the civil and military administration of the island, "giving the people a taste of the Company's justice by the trial of several cases to their great satisfaction."[1] In February Mr. Aungier returned to Surat leaving behind him as Deputy Governor of Bombay Mr. Mathew Gray, who was shortly afterwards succeeded by Mr. Gyfford on a salary of £120 a year.[2] Aungier did not return to Bombay until June 7th, 1672, in consequence probably of the general political out-look. The Marathas were at this date making constant petty attacks upon Surat, which rendered trading somewhat precarious, while the Mughal Governor did his best to hinder the President leaving Surat, ostensibly on the grounds that enemies might take advantage of his absence in Bombay to undermine the Company's trade-interest, but really because he feared that removal to Bombay would cause an immediate decline in the general prosperity of the Gujarat port.[3] By the middle of 1672, however, internal troubles and "the covetous exactions of the Mughal" had convinced Aungier of the need of moving the Company's headquarters from Surat to Bombay, while continual disorders in Bombay arising from the unruliness of the troops and a considerable influx of weavers and other immigrants impressed upon him the need of personally residing in the island and laying down the lines of its future progress.[4] Accordingly setting sail from Surat, he arrived in Bombay on the 7th June, after nearly losing his life in a violent storm,[5] and at once

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[1] Surat Council to Directors, March 30, 1670.

[2] Directors to Surat Council, August 11, 1670.

[3] Surat Council to Directors, February 3, 1672.

[4] Bombay Council to Directors, June 14, 1672.

[5] Referring to this storm Aungier remarked that "no consideration could divert him from running the greatest hazards to serve his honourable masters." Da Cunha, p. 289.

proceeded to deal with the more urgent requirements of the island. The disorders among the military forces were quashed; the English law was publicly introduced in supersession of Portuguese custom; a Court of Judicature was established, Mr. George Wilcox being appointed Judge in August 1672;[1] a town was lined out "on that parcel of ground which lieth over against the present Fort"; a mole was staked out capable of berthing 20 ships of three or four hundred tons;[2] and finally the famous Convention was promulgated which put an end to the long-standing disputes between the Company and the Portuguese landholders in regard to the ownership of land in the island and enabled the Company to pursue unhindered their policy of colonization[3]. Other innovations of more or less importance were the establishment of a Mint, the improvement of the fortifications,[4] the building of a small hospital, the institution of trading privileges for certain corporations, the creation of *panchayats* or caste-councils for the various native communities, the opening of a printing press, the building of houses[5], and the importation of English women

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[1] Edwardes' Rise of Bombay. Hamilton's account of the East Indies (1744). "He (Aungier) brought the face of justice to be unveiled."

[2] Bombay Council to Surat. 12th July 1672.

[3] For further details, see Edwardes' Rise of Bombay, pp. 109-110, and the chapter on land administration below. One of the most important clauses of the Convention signified that "in regard to the little isle Colio (Colaba) reaching from the outer point westwardly of the isle to the Pakhadi or parish called Polo (Apollo) will be of great use to the Honorable Company, in the good design which they have for the security and defence of this whole isle, it is hereby agreed that it shall be totally and wholly reserved for the use of the said Company, they making such reasonable satisfaction to the persons interested therein as hereafter is expressed." In this way the last of the original 7 islands of Bombay was taken into British possession. Bombay had by this time "become famous as an asylum for all men." A Raja from the mainland asked leave to settle and become the Company's subject, but an ambiguous answer was sent to him for fear of annoying Shivaji. (Bombay Council to Directors, 12th July 1672.)

[4] Aungier advised the enclosing of the whole town from Dongri to Mendham's Point. This was rejected at the time and was subsequently carried out by Governor Charles Boone. Hamilton's East Indies (1744).

[5] The Directors in 1675 ruled that any one might build on a lease for a period not exceeding 61 years at a moderate quit-rent payable half-yearly. Arrears of salaries due to the Company's

who might be married to the traders and settlers of their own race.[1]

Meanwhile the political outlook was far from promising. Fear of attack by the Dutch and French was rife in 1672; the Portuguese prevented the free access of Bombay ships to Thana and Karanja; and by the close of 1673 the Sidi Admiral of the Mughal was "committing great insolence on the Island Patekas (Butcher's Island) and this town (Bombay), stealing cattle and vexing and robbing the poor people."[2] The Court of Directors writing in July, 1672, informed their representatives in India of a great English victory over the Dutch, which temporarily calmed Aungier's fears and was made the occasion of a public thanksgiving in Bombay on St. Stephen's day, 1672. "The thanksgiving," wrote the Bombay Council, "was not only held by ourselves but in all the Portuguese churches with much alacrity and expressions of joy, and for that the hearts of the Portuguese, Banians and others of this island were much dejected by reason of the war and affrighted with the noise of 22 sail of Dutch ships coming against us, we thought good to rouse and cheer up their spirits with a public show. Your Governor and Council marching in the evening of the Thanksgiving Day with the two companies of garrison soldiers and two companies of the militia with colours flying, drums and trumpets (for by good fortune we have met with two German trumpeters which ran away from the Portuguese and are now entertained in

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servants were to be expended in building houses and warehouses on condition that the servants were not eventually losers. Houses built in this way were not to be sold or alienated without the permission of the Company. (Directors to Surat, March 5, 1675.)

[1] The importation of English women gave rise to complaints in later years. The Surat Council writing to Bombay on the 18th December 1675 remarked:—"And whereas you give us notice that some of the women are grown scandalous to our nation, religion and government, we require you in the Honourable Company's name to give them all fair warning that they do apply themselves to a more sober and Christian conversation: otherwise the sentence is this that they shall be confined totally of their liberty to go abroad and fed with bread and water till they are embarked on board ship for England." A diet allowance was granted to those who had not married within one year. (Surat to Court, January 17, 1676.)

[2] Bombay Council to Surat, Oct. 23, 1673.

your service). In this posture we marched quite through the town, about 600 men in arms, the Portuguese, Moors, Banians and Gentus and others crying out as we passed "God save the King and the Honorable Company." The day ended with the distribution to the poor of "thirty rupees in pice and bujruks" and of two butts of arrack to the militia and soldiers, and with the firing of salvoes and the lighting of a large bonfire.[1] But the tranquillity engendered by this victory was but temporary; for on the 20th February 1673 a Dutch fleet under Rickloffe van Goen arrived in the hope of taking Bombay by surprise. According to Orme, Aungier exerted himself on this occasion "with the calmness of a philosopher and the courage of a centurion."[2] The Dutch Commodore, discovering to his annoyance that heavy ordnance had already been mounted on the fortifications and that three war-vessels were lying in the harbour, moved up the western side of the island and prepared for a descent upon the Mahim creek. Aungier at once marched up to Mahim and made a hostile demonstration; whereupon the Dutch with 6,000 men on board sheered off, and after hovering for some time between Bombay and Surat disappeared altogether.[3] Shortly afterwards (17th February 1674) the treaty of Westminister was concluded between England and Holland, which relieved the British settlements in Western India of further apprehension.

In September, 1675, Aungier returned to Surat, leaving Bombay far more prosperous than at the time of his first visit. His task had proved by no means easy; for in 1674 the English troops mutinied on the question of pay and provisions;[4] Sambal the Sidi

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[1] Bombay Council to Directors, 6th Jan. 1673.

[2] Edwardes' Rise of Bombay, p. 114. Da Cunha, p. 290. Hamilton writes in his account of the East Indies:—"In the year 1673 the Dutch East India Company having an eye on Bombay sent a squadron of ships with a little army to try if they could take it in amongst their other conquests of India; but on their landing, met with so warm a reception that they were glad to get off with the loss of two or three hundred of their men."

[3] Bruce's Annals, II, 319. Anderson, English in W. India, p. 89.

[4] Bombay Council writing to Directors in Aug. 1674, described the mutineers as "dangerous bloody villeins" and stated that the two ring leaders had been ordered "to throw dice on a drumhead under the gallows and the loser to die."

anchored at Mazagon during the monsoon of the same year and caused much annoyance to the people;[1] and the Portuguese continued to harass British trade. "During my stay here (Bombay)," wrote Aungier to the Deputy Governor,[2] "I have found odd neighbours to deal with; the jealous and envious Portuguese have endeavoured all that lay in their power to obstruct our settlement; the Governor of Surat hath not been wanting also to use his policy to undermine us; and Sidi Sambal with his fleet hath been no small impediment.[3] The Dutch with their powerful fleet designed to have swallowed us up; but blessed be God who hath hitherto preserved us and rendered all their evil designs advantageous. Sevajee only hath proved and that for his own interest sake our fairest friend and noblest enemy. You must expect to encounter many ill offences from the Portuguese, especially in the pass of Karanja, as I have done; but you must not yield in the least to them." In spite of political troubles, in spite of the fact that he had drawn no salary whatever for four years,[4] Aungier held firmly and conscientiously upon his road, and a the hour of his death in Surat on the 30th June 1677 was able to bequeath to his successor an island far more populous, more strongly fortified, better governed than it had been in 1668 and bearing within it the seeds of administrative, commercial and social expansion.[5]

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[1] Bombay Council to Directors, August 20, 1674.

[2] Aungier to Deputy-Governor, Sept. 28, 1675.

[3] See Bruce's Annals, II, 53.

[4] Aungier writing to the Directors on January 15, 1674, remarks that he has drawn no salary for four years and has had to pay for wine and entertainments for the French and Portuguese out of his own pocket: that he has not drawn a single pice of the Company's cash and that in his opinion he might be permitted to draw at least a Captain's pay as in charge of a Fort. State papers.

For further description of Aungier's character, see Edwardes' Rise of Bombay, pp. 110-117; Da Cunha, pp. 291-94; Douglas Bombay and Western India. Selections from State Papers (Home) I, VIII.

[5] Fryer remarked in his "New Account" that "these three years he (Aungier) has regulated affairs with that prudence, that whereas he found a disaffected and incongruous Council, he has now knit them into a bond of at least seeming friendship, and does daily study to advance the Company's interest and the good safety of the people under him."

The history of this the earliest period of British dominion may fitly conclude with the following extracts from a letter written by Aungier and his Council to the Court of Directors on the 15th December 1673, which gives a full description of Bombay at that date and forms a complement to Dr. John Fryer's graphic account of the island.[1]

"Bombay is made by the inroads of the sea into four small islands, passable at low water, (1) Colleo or Old Woman's island, (2) the Palmero grove of Bombay, the town of Mazagon, Parel, Matunga, Sion and Daravee (Dharavi), (3) the Cassabem (Kasba) or Palmero wood of Mahim, (4) the hilly island of Veroly (Varli). The sea hath eaten up about one-third of the island.

"After the first intermission of the rains in May or June and after their total ceasing in October the air and water are unwholesome by reason of the crude pestiferous vapours exhaled by the violent heat of the sun into the aire and vermin created in the wells and tanks which renders these months most sickly to the inhabitants and especially to Europeans.

"All the land is employed in rice and cocoa-nuts: but it produceth all sorts of trees for timber and fruit, all sorts of plants, roots and vegetables necessary for the use of man for sustenance, health, pleasure or profit. We have experimented by a garden raised this year near the Castle, the produce whereof doth sufficiently evidence the fruitfulness of the soil.

"The town is divided into the two small shires of Bombay and Mahim. The former contains the island Colleo, the towns of Bombay, Mazagon and Parell, with the several parishes of Pallo (Apollo), Deirao (?), Gregon (Girgaum), Vall and Mochein (?). The shire of Mahim contains Mahim, Sion, Daravee and Verlee with the several parishes of Salvacaon, St. Michael, etc., precincts.

"The English are employed in trade and in the militia; the Roman Catholic Christians chiefly in planting the ground, some few in trade, and too many of them as

[1] New Account of East India and Persia by Dr. Fryer, London, 1698, quoted in Edwardes' Rise of Bombay.

soldiers in your garrison for pure want of English protestants to keep watch and defend the island.

"The Moors have several sects and castes. They are not very numerous as yet, but sensibly increased. Some few old inhabitants are employed in the lands and others do buy possessions. Most are employed in trade, supplying the island with provisions, going to sea in ships and other vessels as lascars or marines, haberdashers of small wares, weavers, tailors, bakers, smiths and other handicrafts very useful and indispensably necessary to the island. The Moors have two places of worship, one at Bombay, the other at Mahim. The latter is the tomb of one of their famous saints there buried, much frequented in the month of October by pilgrimages made thereunto.

"The Jentues (*i.e.* Gentus, Gentiles or Hindus) comprise Banyans (all traders and brokers), Brahman (priests and traders), Purvoos (Prabhus) (farmers of land and rent-receivers), Sinays (Shenvis) (cultivators and traders), Bandareens (Bhandaris) (Toddy distilling and making of Arrack called Phoole Rack (Mhowra spirit), yielding a considerable revenue. They are also good soldiers, stout, faithful and lovers of the English); Corambeens (Kunbis) (tillers and mowers of lands, as well the rice as the cocoa-nuts); and the Coolys (Kolis) (general fisherman of the island, yielding a good revenue to the Company and other useful and indispensable services; these are as it were the Company's slaves, hardy, unwearied labourers and lovers of the English; the better sort engage in trade and grow rich).

"Also Percees (Parsis), an industrious people and ingenious in trade, wherein they totally employ themselves. There are at present few of them, but we expect a greater number having gratified them in their desire to build a burying place for their dead on the island.

"All provisions and sustenance are procurable at Bombay, all sorts of corn and grain, beef, mutton, veal, lamb, pork, hens, ducks, geese, fish, etc. Most of these are brought from the mainland. Owing to increase of population the price of provisions has doubled.

"The three chief breaches are at Mahalakshmi, between Worli and Mahim, and between Mahim and Dharavee.[1]

"Before the English came the trade was only in cocoa-nuts and cairo (coir). Now the country merchants drive a great trade with Surat, Broach, Cambay and Gogo, and also to Dabull, Kelsey, Rajapore and Goa, to Mocha, Persia, Scinda, Bussora, in salt, cocoa-nuts, cairo, betel-nut, rice, elephants teeth (from Mozambique), broad-cloth, lead, sword-blades and some other Europe goods. Last year we disposed in Bombay of 600 pieces of broad cloth, 3,000 maunds of lead, all the perpetuanes and serges, and all the sword-blades. The trade by sea and land is interrupted by the Mughal and Sevajee's fleets and armies. We are trying to open trade with Tuneer (Junnar?), Orungabad, Raybag, Hubily, Vizapore; with Mocha, Persia, Bussora, Scinda and Patan, the Maldives and Malabar coast; whence we shall get myrrh, aloes, olibanum, cohoseed, tinkall, sena, red earth, carminia wool, pertchock, skins, corryes, pepper and cardamoms and other goods proper for Europe and the South Seas.

"Small lines or parapets and guard-houses have been raised at Mahim and Sion. We intend also to sink in the fords of Mahim and Sion quantities of sharp craged stones, some pieces of old timber stuck with spikes and nailes and to have a good number of crows' feet and spike-balls in readiness to gall either horse or foot that shall endeavour to pass those fords.

"The Castle of Bombay lies upon a neck of land between two bays; a quadrangular Fort whereof three points command the port and the two small bays, the fourth with two of the others commands the town and the plain before the castle. It is of small circumference and irregularly built, owing to the ignorance of the engineers. The landward wall is 27 feet high and 25 feet

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[1] Aungier appointed 15 Commissioners to survey the breaches and draw up an estimate for stopping them. Mr. Gray and Captain Shaxton determined to reclaim 500 acres from the sea; but the Sidi fleet suddenly anchored at Nagothna and prevented labourers coming across (Aungier to Court.)

broad, consisting of an outer and inner wall of stone and terraphene of earth: the two seaward platforms are 20 feet high and 42 feet broad, to carry 36 ordnance besides those on the bastions. Three bastions are finished, mounted with 50 pieces of ordnance: the seaward bastion is incomplete. The powder rooms inside will contain two thousand barrels of powder.

"In the middle of the fort is the Governor's house built formerly by the Portugals, but was burned by the Arabs of Muscat when they surprized and took the island from the Portuguse in 1661, so that when the English took possession of the island there was little more than the walls left. But since it came into the Company's hands it hath been much repaired; the front is fair and beautiful enough, but the rooms within are not so well contrived as we could wish either for lodging or other accommodation. Yet by degrees we are endeavouring to render it more and more capacious. Under tne walls are raised lodgings for the soldiers with the corps on guard.

"A large spring or tank lies 100 paces outside the wall which the Engineers ought to have included. Instead they were obliged to build a new tank. There is no ditch or moat; but a fausse-bray has been raised twenty feet from the wall outside the castle and two horne-works.

"The great bay or port is certainly the fairest, largest and securest in all these parts of India, where a hundred sail of tall ships may ride all the year safe with good moorage. In the small bay to the north of the castle ships of 400 tons have been haled ashore to repair, there being 15 foot of water at the springs: but this bay hath been spoiled by those who built the fort, who broke off the rocks which kept off the violence of the sea and carried away the stones to the fort. We are casting more stones to keep off the sea and secure the ships. In the lesser bay to northward of the fort ships of 300 tons may be haled ashore. At Mazagon ships of 200 tons may be haled ashore; also at a place called Drumgo (?) there is an excellent bay where 50 sail of 200 tons each may winter and repair safely. For small frigates, gorals and other vessels there are very many places.

"The President supervises all foreign and domestic matters and all trade. The Deputy Governor has charge of treasury, militia, garrison and public works. The accountant keeps accounts under garrison, fortifications, shipping, bandars, building, house-keeping, and supervises military stores. The attorney-at-law, James Adams, looks after the Company's revenues and lands and defends the action and rights of Government before the law; he acts as a preventive-officer and as storekeeper to the garrison. The warehouse keeper takes charge of all goods received and sold, and has to take steps for increasing the indigenous trade. The Judge hears all suits and has charge of the register for probate of wills, etc. All these are in Council[1] which meets Monday, Wednesday and Friday every week from 8 a.m. to 12 at the toll of the Castle bell. Francis Day acts as Secretary to the Council.

"The Court of Judicature is held in a room near the Fort, and two justices of the peace sit with the Judge. There are two days a week for civil suits and one day a month for criminal matters.

"There are two garrison companies of 200 men apiece. Of these one hundred are employed in the Company's frigates; the rest in bands of 75 each garrison the castle in turn. The guard is relieved every morning and trained. There are also three companies of militia, one at Bombay, one at Mahim and one at Mazagon, consisting of Portuguese black Christians. More confidence can be placed in the Moors, Bandareens and Gentus than in them, because the latter are more courageous and show affection and goodwill to the English Government. These companies are exercised once a month at least and serve as night-watches against surprise and robbery.

"The revenue of the island is 70,000 xeraphins. The Portuguese still claim the Colliarys (Koliwadas?) or right of fishing in the open bays of Bombay, Mazagon,

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[1] The Directors writing to Surat on March 8th, 1676, ordered that the Council should be composed only of Factors, as the Military must be subordinate to the Civil power. The factors and writers were to be trained to the use of arms, as the Dutch did in their factories.

Veroly (Varli) and Parel. The people of Mazagon who fled at the approach of the Dutch fleet have returned to the number of 10,000. Their houses and lands have been restored to them; but Alvaro Pires (de Tavora) refused to return and intrigued with the French, Bassein and Goa. He has therefore been declared unfit to serve again on the island, and his estate has been temporarily granted to his mother in trust."

1677—1722. On the 30th June 1677 the Council at Surat wrote as follows to Bombay:—"It hath pleased God to our great sorrow after a tedious sickness to take out of this life our worthy President, Gerald Aungier, who died this morning between four and five of the clock of which we thought good to give you this timely notice that you might prevent all innovations or disturbances upon the island," to which the Bombay Council, acknowledging the receipt of the letters, replied:—"We cannot rightly express the reality of the grief we conceived at the perusal of the deplorable news of the death of our late noble President. Multiplicity of words may multiply the sense of our loss, but cannot depaint its greatness and the knowledge we have of the true worth and integrity of his successor, and it shall be our continual prayer for a blessing on your great affairs."[1] For a brief space after Aungier's death Henry Oxinden was at the head of the Government of Bombay, but was succeeded soon afterwards by Mr. Thomas Rolt, who assumed the pompous title of "Governor of Bombay, President of India, Persia, Arabia, etc.," and in turn yielded place at the close of the year 1681 to Sir John Child, who under the title of "Captain-General and Admiral of India" administered the affairs of the island until his death in 1690.[2] During the following four years

[1] Selections, Home Series, I, xviii.

[2] Sir John Wyborne acted as "Vice-Admiral and Deputy-Governor of Bombay" during Child's regime up to 1688 when he was succeeded in turn by John Vaux, George Cooke, George Weldon, who married Sir John Child's widow, and Samuel Burniston, who died in Bombay in 1704. After the death of Aungier the Court decided that on the death or departure of the President, his successor should be styled Agent and should draw £300 a year. The salary of the Second-in-Council was reduced to £80 a year and the pay of Deputy-Governor of Bombay was lowered to £120 a year.

Mr. Bartholemew Harris held the reins of Government and was succeeded by Sir John Gayer, who ruled at Bombay with the revised title of General until 1704.[1]

The governorship of each of these four gentlemen was marked by internal and external troubles of no mean magnitude, which for the time being resulted in the almost total eclipse of the island's prosperity. "The last quarter of the 17th century was not only devoid of any great achievement or of any appreciable progress in manners and morals," wrote Dr. Da Cunha, "but was on the contrary a witness to sedition, strife, immorality, unhealthiness and anarchy at home, and invasion, piracy and arrogance abroad."[2] The dangerous climatic condition of the island had already been reported by Aungier to the Court of Directors in connection with serious mortality among the English troops; and by 1689, when the Reverend John Ovington arrived in Bombay, "one of the pleasantest spots in India seemed no more than a parish graveyard." Of the twenty-four passengers who sailed with him, twenty died before the rains ended, and fifteen of the ship's crew also. Overcome with horror of the island the Chaplain wrote :—"As the ancients gave the epithet of fortunate to some islands in the West, because of their delightfulness and health, so the moderns may in opposition to them denominate Bombay the unfortunate one in the East, because of the antipathy it bears to those two qualities"; and added that the island was "nought but a charnel-house, in which two musoons were the age of a man."[3] The chief diseases were, according to Fryer, "fluxes, dropsy, scurvy, barbiers or loss of the use of hands and feet, gout, stone, malignant and putrid fevers" and a disease named "mordisheen" by the Portuguese, which was extremely prevalent.[4] Between 1686 and 1696, also, there was a severe out-

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1 See Appendix I. at the end of the chapter.

2 Da Cunha, 306.

3 Ovington's Voyage.

4 *Mordisheen* is a Portuguese corruption of the Marathi *Modasi* derived from *modane* (to break), in allusion to the severe internal agony caused by the disease. It was also called by the Portuguese *mordexi*, which European writers transformed into 'mort de chien' and 'mort de chine' or the Chinese death. Anderson, p. 62.

break of plague in Western India, which wrought great havoc in Bassein, Thana and Chaul,[1] and helped to deplete the population of Bombay. At the close of 1691 there were only eighty Englishmen left upon the island, of whom many were ill; there were only five civil servants, and they had dwindled to three in January 1692[2]; while by October 1696 only twenty-seven Englishmen, exclusive of moribund military officers, were alive.[3] Matters were unchanged as late as 1706, for Sir Nicholas Waite wrote in January of that year: "We are only eight covenant servants including the Council and but two that write, besides two raw youths taken ashore out of ships, and most of us sick in this unhealthful, depopulated and ruined island," and later wrote again: "We are six including your Council and some of us often sick. It is morally impossible without an overruling Providence to continue longer from going underground if we have not a large assistance." A year later he made his final appeal for help in the words "My continued indisposition and want of assistance in this unveryhealthful (*sic*) island has been laid before the managers and your Court. Yet I esteem myself bound in gratitude and I will briefly inform what material occurs till I leave this place or the world."[4]

The Court of Directors did what lay in their power to ameliorate the circumstances of their agents in Bombay, by despatching surgeons on the munificent salary of 45 shillings a month and consignments of medicines from England which not infrequently were found to have deteriorated on the voyage[5] and the Council at Surat also helped with the provision of a medical man on £4 a month at a time when the only physician on the island had died.[6] But such aid was of little avail against the deadly character of the climate. "Of what use," wrote

[1] Bombay to Directors, June 1st, 1696. Da Cunha's Chaul and Bassein.

[2] Bombay to Directors, Oct. 27, 1691.

[3] Bombay to Directors, Oct. 15, 1696.

[4] Edwardes' Rise of Bombay.

[5] Court to Surat, March 19, 1680.

Edwardes' Rise of Bombay.

Anderson "was it to send trusty factors and hardy soldiers thither? They breathed the poisonous air but a few short months, after which their services and lives were lost to their employers for ever."[1] The chief causes of the general mortality seem to have been the gradual silting-up of the creeks, which at high tide divided Bombay into several islands, the system followed by the native oart-owners of "buckshawing" *i.e.*, manuring the toddy-palms with putrid fish,[2] and, in the case of the European residents, the extraordinarily loose living in which they indulged. In 1684 the Council at Surat remarked in a letter to the Directors that "Although the island may have the name in Europe of being unwholesome, it is no such thing really; but it is a pleasant sweet place and sober people may enjoy their healths there as well as in many other places in India. But when men come new out, drink punch toddy and country beer, besides that are disordered and tumble on damp ground it cannot be expected but diseases must be contracted." The soldiers of this period were described two years later as "debauched broken tradesmen and renegade seamen"[3]; and the immorality of the civil population, to which Anderson referred, is well described by Ovington, the chaplain, in the following words:—"I cannot without horror mention to what a pitch all vicious enormities were grown in this place. Their principles of action, and the consequent evil practices of the English forwarded their miseries and contributed to fill the air with those pestilential vapours that seized their vitals and speeded their hasty passage to the other world. Luxury, immodesty and a prostitute dissolution of manners found still new matter to work upon."[4] The

[1] Anderson's English in Western India.

[2] Edwardes' Rise of Bombay. Court to Bombay, April 20, 1708. That the low swamps were productive of malaria certainly suggested itself to the Court of Directors, who between 1684 and 1710 constantly urged the need of stopping the breaches and of reclamation.

[3] Surat to Court, 27th January, 1686.

[4] Ovington's Voyage to Surat. Edwardes' Rise of Bombay. The Bomb. Quart. Review, Vol. I. II., p. 185-86 states as follows:—"We may glean a little here and there regarding the manners of the English in this generation. Their diet appears at present in some respects singular even to their countrymen. Tea was drunk in great quantities. Amongst the Dutch the tea-

native population also suffered severely from fever and plague during the closing years of the seventeenth century, and lost much property in a severe storm which raged over Bombay from the 20th April to the 8th May, 1697.[1]

Meanwhile the trade of Bombay suffered not a little from the internal feuds and domestic troubles of the Company. About 1680 private traders or interlopers, as they were styled, commenced to fit out ships, to form illicit trade-connections with the Company's servants in India, and to trade direct between English and Indian ports with the object of diverting the Company's trade into their own hands.[2] Among the best-known of the interlopers on the Western Coast were John Petit and George Bowcher, who had once been in the service of the

pot, we are told, was seldom off the fire. The English do not seem to have usually taken it with sugar and milk, although sugar-candy was occasionally dissolved in it. But it was more frequently drunk with hot spices or "by the more curious with small conserved lemons." *Khichari*, a mixture of rice and split pulse, was an ordinary article of food. In consequence of the scarcity of flesh meat, European sailors were required to fast one or two days in the week, just as good Churchmen were in England by the writers of the Homilies, in order that the fisheries might not be ruined. On the days in question hungry tars were only permitted to eat *khichari*: and so, because they then conformed to the habits of the Hindus, they called them "Banian days."

"Liquor made in the country was drunk by all classes of Englishmen. Sometimes they were contented with arrak manufactured at Surat or Bombay; but the best was brought from Goa or Bengal. The strongest sort was called by Englishmen "jugre" (jagri) and was, I suppose, a liquor distilled like rum from molasses. It was taken in drums and heated, or made lukewarm by a hot iron or wedge of gold dropped into it. A fondness for intoxicating spirits was carried even by superior minds to an astonishing degree of coarseness.

"The Company professed especial care for the religious instruction of their servants, and sent out strict orders that the Lord's Day should be observed and prayers regularly offered. They also enclosed a form of special prayer, which taught their servants to implore in the first place the Divine favour for their honourable masters, and in the second place their honourable masters' favour for themselves. There was also a significant and suggestive allusion to the Factors' honesty, virtue and general behaviour as Christians. Divine Service was held twice every day at Bombay, and all the Factors were required to be present. A room was set apart for the purpose, but there was neither Church nor Chapel."

[1] Surat to Court, 14th May, 1697.

[2] Bruce's Annals II. The Court in a letter to Surat, dated March 19th, 1680, mention a Captain Ally as the first Interloper to the Coromandel coast. "Impede and hinder him all you can", they write, "as we hold the charter of the King."

Company and who undoubtedly encouraged Keigwin's rebellion.[1] These and others, in increasing numbers, set themselves to harass the Company as much as possible, and, in addition to being able to undersell the Company in every article imported into England from India, led native merchants, particularly Muhammadans, to offer "all manner of indignities" to the Company's agents on the grounds that the Company was rent by internal feuds and was quite powerless on that account to retaliate. The Court of Directors thereupon appealed for help to the King, who ordered a man-of-war to intercept all interloping vessels; but the annoyance continued more or less unchecked until the end of 1693, when in the words of the Court "after a multitude of conflicts with the interlopers and their adherents and all others that have envied or emulated the Company's former prosperity, we have obtained of their present Majesties King William and Queen Mary a charter of confirmation of our present and all our former charters, and are in possession of it, under the Great Seal of England, bearing date the 7th instant. Of this charter we shall send you copies by our shipping, and think it fit before that comes to your hands, upon receipt of this letter, you should make such solemn public intimation of it to the natives as is usual upon such occasions.[2]

The year 1683 witnessed also a very serious rebellion upon the island, which may conceivably have accelerated the transfer of the Company's Government from Surat to Bombay in 1685.[3] In March 1681 Captain Richard Keigwin had been appointed by the Court of Directors Commandant of all the Forces on the island and third member of Council on a salary of six shillings a day

[1] Surat to Court. April 10, 1684.—John Petit was heavily in debt to merchants at Surat, when he left the Company's service, and was obliged to fly by stealth to Bombay, where Keigwin welcomed him.

[2] Edwardes' Rise of Bombay. For further account see Bruce's Annals II, III.

[3] State Papers. Bombay Gazetteer Materials, App. II. 180. The Court of Directors in a letter of October 28, 1685, ordered that the seat of Government was to be always at Bombay and that all ships were to anchor and load at Bombay. The transfer was made in 1687.

without any allowance for diet and lodging.[1] This exiguous salary was the result of a general desire on the part of the Company to retrench their military expenditure and in 1683 Sir John Child, in pursuance of the Company's object, ordered a further reduction by 30 per cent. of all military salaries.[2] "The military gentlemen" writes Hamilton, "had made contracts in England for their salaries, though paid at 20 per cent. loss—yet to shew himself a good economist for his master's interest he (Sir John Child) sent his Deputy (Charles Ward) orders to reduce their pay to 30 per cent. less than it was before, though it was so small that they could hardly bring both ends to bear at the month's end.[3] That hard pill the sons of Mars could not swallow and so bent their minds on a revolution ; and having come to some knowledge of Mr. Ward's tampering with the Sevajee to land on the island they detected some letters of his to that purpose, which gave them ground for a revolt."[4] There is little doubt that Keigwin was actuated not only by discontent at the niggardly action of the Company but also by a conviction that Sir John Child and his Deputy were grossly mismanaging the affairs of Bombay, and he complained bitterly of the oppression of the Company's government in a memorial, dated January 1684, addressed to Prince James, Duke of York and Albany, "whom we (the mutineers) look upon as the North Star of our firmament by which we are resolved to steer our course."[5] Accordingly on the 27th December, 1683, Keigwin, aided

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[1] State Papers, March 15, 1680-81—Selections (Home) Vol. I. XX-XXI.

[2] Home Selections. Vol. I. A Short History of the Bombay Presidency, 1887.

[3] Fontanier (Voyage daus l'Inde, 1844) remarks :—"Quand on considère que l'Officier de garde à la porte de la ville recevait quelques pièces de cuivre pour laisser entrer du poisson,on comprend que ses fonctions n'avaient pas alors une grande dignité."

[4] Hamilton's account of East Indies. 1744.

[5] Bombay Gazetteer Materials. App. II, 181. In a letter of December 30, 1683, from John Turner to Henry Smith it is stated that the cause of the revolt was "the very irregular government of Child and Ward, continued in malice, avarice, oppression, extortion and other intolerable insolencies, and that Keigwin's chief complaint was that the Company's Government had neglected the defence of the island against Sambaji and others."

by Henry Fletcher, Thomas Wiekins, Stephen Adderton and a fourth described by the Chaplain, John Church, as "that little false Scot Thorburne" raised the standard of revolt, seized and confined the Deputy-Governor Ward and others who adhered to him, took possession of the Company's ship "Return" and the frigate "Hunter," and made a public proclamation before the assembled troops and militia that Bombay was henceforth to be under the Government of the King.[1] Ward, who according to his own account was closely watched and was "suffered neither pen, ink nor paper," managed to have the news conveyed by stealth to Surat, whereupon the Council decided to appoint Charles Zinzan, Francis Day, and George Gosfright as Commissioners to enquire into "the naughtiness and wicked actions of some on Bombay" and to suppress the revolt.[2] The trio accordingly voyaged to Bassein, and thence sent letters promising pardon to several of the mutineers, if the island was at once restored to the Company.[3] To their expressions of cajolery Sir John Child added his in a letter dated February the 1st, 1684, and couched in the following quaint terms:—"For the expressions that I am told fell from Captain Adderton and Ensign Thorburn my particular obligations to them might have persuaded them to use me with more respect, two that I have tenderly loved and taken some care of—Oh! Johnny Thorburne, thy ingratitude is of a deeper dye, but the God of Heaven and Earth forgive thee and pardon you all and put into your hearts to return to your obedience. Come one, two or three of you and look on your Governor. I am the same that lived among you not long since and then had wars with Sambaji Raja and great disturbances from the Portuguese, yet preserved you all with God's blessing and plentifully supplied you with all provisions. Nay you well know my care, and how I kept batty at 22 xeraphins a more (*muda*) when all about us was at 28 and 30 xeraphins."

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[1] Selections (Home) from State Papers. Vol. I. Thorburne was described later in the report of the Secret Committee as "a Scotch tailor that went out a common soldier."

[2] State Papers, January, 1684.

[3] Ibid.

The mutineers, who had meanwhile memorialised the King, saying that they would hold the island till his wishes should be known, replied firmly to the Commissioners and Sir John Child that they would not retreat from their position; whereupon the latter after some further correspondence, in which he styled Keigwin's replies as "a parcel of stuff that sufficiently discovers your ignorance and naughtiness,"[1] issued a proclamation on the 29th February, 1684, declaring them all traitors.[2] As soon as the news of the revolt reached England, Charles II issued a royal command, dated August 23rd, 1684, to Keigwin to deliver the island to Child, and a free pardon was offered to all except "the four grand incendiaries," for whose apprehension rewards were publicly offered:[3] and eventually on the 19th November 1684 Keigwin, on receipt of a promise of free pardon, handed over Bombay to Admiral Sir Thomas Grantham, who had been despatched with a force from England to quash the rebellion.[4] Keigwin was placed for the time being under arrest, in which plight "he shewed himself as impudent as Hell, the notorious naughty rascal,"[5] and was eventually taken back by the Admiral to England in July, 1685.[6] During the eleven months that he held possession of Bombay, he proved himself to be possessed of great determination and considerable administrative capacity. One of his first actions was to send envoys to the Maratha Sambhaji and conclude a treaty, under the terms of which he was permitted to trade in any part of the Maratha dominions and also received payment of an old debt of 12,000

[1] Letter from Child, 18th February, 1684. State papers.

[2] State papers. Bomb. Gaz. Materials. App. II.

[3] Secret Committee's report to King Charles II. Aug. 15, 1684.

[4] Sir T. Grantham to Surat. December 8, 1684. Bom. Quart. Review, p. 179. Keigwin also surrendered £ 7000 which had been taken from the "Return" and all the State papers. Grantham was nearly murdered on landing by a soldier named Harwood.

[5] Surat Council to Deputy Governor of Bombay (C. Zinzan), Jan. 6, 1685.

[6] Keigwin was released in England. But Thorburne fell a victim to Child's malignity, and was eventually cast into prison on a charge of debt and treated with such harshness that he died. Bomb. Quart. Review, p. 179.

pagodas due to the Company. He also built small fortifications at Mahim and Sion; collected much of the money due to the Company from Native debtors, and administered the affairs of the island in such a way that Gladman, one of the Commissioners accompanying Sir Thomas Grantham, was forced to admit that "the Rebels had managed very well."[1] The rebellion being thus brought to a close, Sir John Child became Governor once again, with Sir John Wyborne as Deputy Governor in Bombay: and in imitation of the Dutch at Batavia the Court of Directors decided that Bombay should be constituted a Regency, and that the Governor should, for the sake of dignity, be furnished with a life-guard of twenty grenadiers, commanded by a captain.[2] In spite, however, of this assumption of independent power, some years were to elapse ere Bombay resumed the tranquillity which she had enjoyed during Aungier's régime.[3]

At the close of the century, when Sir John Gayer held the reins of Government in Bombay, the Company's progress was again obstructed by the machinations of the new English Company, to which King William III had granted a charter in 1698, and which owed its incorporation to the discontent felt by English merchants at the monopoly enjoyed by the London East India Company.[4] In January 1700 Sir Nicholas Waite, the English Company's President for Surat, arrived off Bombay and notified to Sir John Gayer his appointment as the King's Minister and Consul-General for the English nation. On these grounds he demanded compliance with his orders. Sir John Gayer however refused to acknowledge that he had any authority over the servants of the London Company. Sir Nicholas Waite, finding he could make no impression on Sir John Gayer and his Council, sailed for Surat. On reaching that port he notified his Royal Commission of appointment to the

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1 Gladman to Surat. December 9, 1684.

2 Bruce's Annals II. 585. The post of Deputy Governor, which was a necessity so long as the seat of Government was at Surat, was held *honoris causâ* by the 2nd Member of Council for several years. The title disappeared between 1720 and 1738.

3 Examples of the disorders then rife are given on pp. 127, 128. of Edwardes' Rise of Bombay.

4 Auber's Analysis (1826), p. 195.

President and Council and required them to strike the St. George's or Company's flag, as he bore the commission of Vice-Admiral and would allow no other flag than his own. The President and Council refused to comply with his request. The Governor of Surat also informed Sir N. Waite that the Commission or "Phirmaund" of the King of England was of no authority at Surat unless the Emperor chose to regard it as valid. He also added that the flag of the London Company flew by the permission of the Mughal. Sir N. Waite now tried force and landed two of the commanders of the ships with fifty men and ordered them to strike the flag. The Governor on hearing that the flag had been struck issued orders that it should be re-hoisted. Sir Nicholas Waite, finding that force did not answer, used baser arts to gain his end. By bribery, by suggesting that the old Company were in league with pirates and by hinting that they might any day leave Surat with debts unpaid, he undermined its power. Sir John Gayer also committed the blunder of leaving the fortifications of Bombay and going to Surat to counteract the influence of his rival; for while he was there orders arrived from the Imperial Court to seize him. "The Governor's son" as an old record runs, "secured Sir John and his Granaders and then entered the lodge, obliged the Lady Gayer out of the bed, carried her, Mr. Somaster and others to accompany the General to Surat, before the Tavistock's people had notice or could come ashore to their rescue, and being brought over the river in an open boat the Lady was put into a hackery covered with a cloth and carried to the Governor's room, where with Sir John and others were confined to one room; and some hours after the Governor sent for President Colt who going with two of his Council accompanied Sir John in the said prison; which triumphant act, as it is esteemed of the Meer, was wrote that night to the Emperor to the no small dishonour of the old Company's General in India."[1] The Chief and the Factors were confined for twelve months within the walls

[1] Selections (Home Series) 1887. Vol. I, XXIV. Edwardes' Rise of Bombay.

of the Factory: but neither threats nor starvation would force them to yield to the unjust demands of the Imperial Court. At length, however, on the 20th February, 1701, the Bombay Council were able to congratulate Sir John Gayer upon his release in the following terms:—"We heartily rejoice for the good news and we render all due praise and thanks to the Almighty God for your release from so close a confinement, and that it hath pleased him to make our innocence appear and the wicked designs of our malicious adversaries in their true colours before the face of the heathens. Now Sir Nicholas may have time to look into his actions, strictly examining himself, and at last say:—'O what have I done!' May the shame and infamy to which he most maliciously exposed his fellow-subjects together with all other his undigested politics fall heavy on his head, being but the just reward for such evil ministers. We hope with your Excellency that the general certificate sent to Court, attested by all the eminent merchants, may meet with the desired effect to the confusion of our enemies."[1] Sir John Gayer's release synchronized with a decline in the mutual rivalry and hostility of the two Companies. Both were alike inimical to anything approaching freedom of trade, and they discovered that their common interests could be effectually secured only by amalgamation. Accordingly hostilities were abandoned, and in 1702 the two Companies were united under the designation of the United Company of Merchants of England trading to the East Indies. The Directors of the two Companies then advised their servants in India to bury the hatchet; but owing partly to the obstinacy of Sir N. Waite and partly to the mutual rancour existing in India, the union of 1702 was reduced to a mere formality, and the resolve of the two Companies "to obliterate all past heats" was carried to no practical issue until the Earl of Godolphin, after patient enquiry into all matters of dispute, published his famous award of the 29th September, 1708.

During a considerable portion of the period under review, the peace of Bombay was jeopardized by the presence of the Sidi Admiral of the Mughal and his fleet.

[1] Edwardes' Rise of Bombay.

During Aungier's régime, in October 1672, the fleet under the Sidi Yakut entered Bombay harbour with the object of ravaging Shivaji's Kurlahs, that is the lands and villages of Panwel, Pen and Alibag. As Aungier refused to let them land in Bombay they withdrew to Janjira, but returned on the 24th December and were grudgingly allotted houses in the town of Mazagon, several of which they subsequently burned. In May 1673 the Mughal and Sidi fleets anchored off Bombay and required permission to winter (May-October) on the island. This permission Aungier, who was afraid of enraging the Mughal Emperor, accorded, and further allowed the four principal Mughal frigates to be hauled ashore under the shelter of Bombay Castle. On September of the same year the Sidis, after launching the frigates and pillaging the Ratnagiri coast, returned without warning and laid waste Pen and Nagothna, in spite of Aungier's protests to both the Sidi and the Governor of Surat. On the 24th April, 1674, they were driven in by a gale and again anchored in the harbour. They were at once ordered to leave, but refused; and then despatched several boats up the Mahim creek, landed at Sion and drove the people out of their houses. All attempts by the Bombay garrison to dislodge them failed. In 1675 Aurangzeb strengthened the Sidi fleet with two large ships, two frigates and two thousand men; and this fleet arrived in Bombay harbour under the command of Sidi Kasim and Sidi Sambal in April 1677. The former was accommodated near the Fort, apparently in the original custom-house near the present mint, while the latter took up his residence in Mazagon. In October of that year Sidi Sambal and Sidi Kasim quarrelled about the command of the fleet; and Sidi Kasim with 300 men marched from his quarters and attacked Sambal and his 300 followers in Mazagon. The sound of the firing reached the Castle which detached the best of the garrison and a troop of horse to quell the riot; and Sambal thereupon retired leaving Kasim in possession of the fleet, which eventually sailed away in November. Between 1678 and 1682 the Sidi made continual use of Bombay as a military base, and thence fortified Underi, pillaged Pen,

sold Maratha captives in the Mazagon market, attacked Kenery and endeavoured to signalise his victories by adorning the Mazagon shore with a forest of Maratha heads stuck upon poles; and the Company felt powerless to oppose his enormities for fear that the Mughal might hinder their trade at Surat if they did so.[1]

After the cold weather cruise in March 1683, the Sidi and Mughal fleets returned to Bombay, and the former remained at Mazagon more insolent than ever. The presence of both fleets raised food to famine-prices, and in May of the same year two unarmed English soldiers were brutally cut down in the Mazagon market by two of the Sidi's Pathans.[2] By way of expressing their annoyance the Bombay Council in July despatched a crazy Councillor and an intoxicated sea-captain to board Sidi Kasim's ship. They were at once overpowered and sent back, whereupon the captain fired a broadside into the Sidi vessel which did little injury, except in Surat where the mob, on learning the news, crowded the streets demanding vengeance on the English. Under Keigwin's régime the Sidi received no encouragement and was forced to give the island a wide berth[3]; but in 1689, after the rupture with the Mughals which formed part of Sir John Child's ambitious scheme for increasing the power of the English, Sidi Yakut landed at Sewri with 20,000 men, made himself master of the small fort there, plundered Mahim, and hoisted his flag in Mazagon fort, which had been abandoned on the news of his arrival at Sewri.[4] A fruitless attempt was made to dislodge him; and by the 15th February 1689 he was master of the whole island except the castle and a certain area of land to the south of it. He then proceeded to raise batteries on Dongri hill, which "disturbed the garrison very much," he "put four great guns in the custom-house,

[1] Orme, Fragments 3-110.

[2] Bombay to Court Sept. 22, 1683.

[3] Keigwin to King Charles II, Jan. 28, 1684. The Surat Council even asked the help of the Sidi against the Bombay mutineers (Surat to Court, 10th April 1684.)

[4] The invasion of Bombay by the Sidi is stated to have been ordered by Aurangzeb in revenge for piracies on Mughal ships, which were laid to the Company's charge. (Bombay to Court, 25th January 1698.)

commonly called the India House, and raised a battery at the Moody's house within 200 paces of the fort, and another in the Lady's house that the General had been so unkind to, so that it was dangerous to go out or in at the Castle gate till we got up an half moon before it" "We passed the months from April to September very ill," adds Hamilton, "for provisions grew scarce by the addition of 3,000 Shivajis that were employed as auxiliaries in the service of the Company."[1] The impossibility of making any headway against the invaders by force made Sir John Child "sick", and accordingly in December 1689 he despatched two envoys to Aurangzeb's court to sue for peace.[2] Their object was aided by certain external factors, namely—the jealousy of the Mughal General Mukhtyar Khan, the representations of the native merchants in Bombay who realized that they would lose all if the Sidi remained master of the island, and lastly the secret influence of the Portuguese, who knew that they would probably lose Salsette if the Sidi held Bombay.[3] Accordingly in February 1690 Aurangzeb issued a new Firman to the Company, which consented to the withdrawal of the Sidi on condition that moneys owing to his subjects should be paid, that

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1 Hamilton's New Account of East Indies, I, 220-234. Ovington's account in Selections (Home Series) I. xxii—xxiii.

2 The opening portion of Sir J. Child's petition to the Mughal is sufficiently humble to merit quotation:—

"The petition of the least of your servants, Sir John Child, General of the English nation, like a grain of sand and with the greatest regard to your Majesty's person, amber-like influence, Lord of beneficence and liberality, Solomon-like throne, epitome of priesthood, Scanderbeg-like wisdom, Heavenly judgment, Potentate of the World, Center of security, Emperor of the earth and of the age, Object of all sublunary things, the Divine Shadow of the Holy Prophet Mahomet, Orangzeeb, whose person and kingdom the Divine powers long prosper and continue, that his righteousness and justice may spread over the whole world and everlastingly continue for the benefit of its inhabitants. Representeth after due recommendation of servitude and vassalage, with humility and lowliness of mind kissing the floor of all servile offices with lips of respect and obsequiousness, and with a head bowed down to your Fame and Greatness . . . etc. . . " State Papers.

3 Bombay to Court, January 15, 1691. The Portuguese had actually aided the Sidi when he first landed; and on this account the Deputy-Governor seized all the Jesuits' land on the island after the Sidi had departed. (Mumbaiche Vrittant, 326.) As regards Salsette, it is clear that the Company themselves coveted it, for a Secret Letter of August 8th, 1687, from the Court to

recompense (Rs. 1,50,000) should be made for the Mughal losses, and that "Mr. Child, who did the disgrace, be turned out and expelled."[1] Sidi Yakut eventually evacuated Bombay on the 8th June 1690; but to quote Hamilton's words, "he left behind him a pestilence which in four months' time destroyed more men than the war had done, and for joy made a malicious bonfire of his head-quarters, Mazagon fort."[2] From that date Bombay suffered no further annoyance from this opponent.

Meanwhile the prevalence of piracy in Indian waters added further checks to the growth of Bombay. The Bombay Council writing to London in 1691 remarked that trade was greatly hampered by the large numbers of pirates along the coast, who were alleged to be Danes but probably were of different nationalities. Guillam, an Englishman, for example, was caught red-handed off Junagadh; the Arabs at Muscat were perpetually marauding; the Cota or Malabar pirates swarmed about the southern coasts; and John Avery and Captain Kidd between them terrorised the merchants of both the East and West Indies.[3] It was Avery who seized the Mughal pilgrim ship Gunsway (Ganja Savai) in 1695, which so enraged the Musalman populace of Surat that the Governor was obliged to put the President and all the other English residents in irons, to prevent their being torn to pieces by the mob.[4] In July 1695 a proclamation

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Bombay remarks: "If it please God to put you in possession of Salsette, keep it with a strong hand and spare no cost to secure the possession of it to the benefit of this kingdom." The Bombay Council replied in 1689 that even if they took it from the Portuguese they could not hope to hold it against the Mughal. (State Papers.)

[1] Child had in the meantime died in Bombay at the end of January 1690.

[2] Hamilton's New Account of East Indies, I. Edwardes' Rise of Bombay. A letter from Bombay to the Directors, dated 22nd June 1690 states that the Sidi did not leave till the 22nd June. "On the 21st the Mughal sent to the Governor a message that he might again take possession of Mahim, Sion and all other parts of the Island occupied by the Sidi. Mr. Cooke thereupon marched out to the Portuguese church with all our field soldiers and by 9 a. m. despatched an ensign and lieutenant with 500 men to settle Mahim and Sion." (State Papers.)

[3] Bombay to Court, 1691, 1694, 1695 and 1696.

[4] Court to Surat, 1696. About twenty of those who accompanied Avery in this action were afterwards caught, tried and executed in Ireland.

was issued by the Lords Justices of England in the King's name against all pirates; but apparently had little effect, for between March the 22nd and October the 30th of that year at least seven serious outrages upon the high-seas were reported by the Surat Council to the Court of Directors as exemplifying the causes of the hostile attitude of the Mughal government.[1] But the most troublesome of all the sea-rovers of this period was Angria, who in 1698 was appointed Admiral of the Maratha fleet and proved himself a brave and daring commander. His ships crept along the coast, plundering every vessel and sailing up every creek to sack the undefended towns. Shivaji had guarded every creek with a fort, and these fell into the hands of Angria who became the founder of a piratical empire extending from Goa to Bombay. The fleets of Angria consisted of fast sailing-vessels of small burden and rowing boats of forty or fifty oars, manned with desperate men. From the *wik* or creek in which their fleet lay these *vikings* or creekmen of the Konkan pounced upon their prey. They would gather astern of their victim and fire into her rigging until they succeeded in disabling her, whereupon the rowing-boats closed in and the crew sword in hand boarded her from all sides.[2]

Angria's parentage is doubtful. One account shows that he was the son of "an Arabian cofferey" (Arab slave), who had renounced Islam, and that for many years "he served the English in Bombay as a lacquey and afterwards as a pune (peon), whose office it is to bear arms before their masters and walk with their sword laid on their shoulder and their target flung at their backs;" that he subsequently fled from Bombay and received a present of Kenery island and several small gallivats from the Sidi. An alternative account states that he was born in Bombay of "a Portuguese Cofferey and a Kenery woman" (*i.e.* a Canorin or Dravidian woman) and that he subsequently escaped to Kenery island and

[1] Surat to Court, Jany. 12, 1698. Edwardes' Rise of Bombay.

[2] Selections from State Papers, 188:, vii Angria took his title from Angar or Angarwadi, a village near Harnai in Ratnagiri.

there collected men and ships sufficient to render him the master of the western coast-line [1] Angria's first attack was levelled against Mr. Chown, the Company's Governor at Karwar, and his wife, and ended in Chown's death and in his wife being held to ransom on Kenery island. [2] This was followed by a two years' peace between Angria and the Bombay Council, after which Angria again attacked Captain Peacocke in the *Somers* and Captain Collet in the *Grantham*[3] and thereafter continued at intervals to harass the trade of Bombay. By the 26th December 1715, when Mr. Charles Boone assumed the Governorship of Bombay, he had become extremely powerful, and was the subject of a petition to the Governor from the inhabitants of Bombay who "complained of the heavy oppressions and injuries they had received from Angria the Pirate, who was then at Golabey (Kolaba), and had also the Island of Kenerey with the strong castle of Gerey (Gheria), the channel of whose harbour is very difficult to find out." [4] The continual piracies committed both by Angria and European buccaneers at length caused so much alarm to the Court of Directors that they besought the King to despatch an expedition against them; and accordingly in February 1721 Commodore Matthews sailed with a squadron from Spithead, and arrived in Bombay in September of that year.[5]

Downing who had accompanied Charles Boone to Bombay gives an account of this expedition, and tells us that "The Commodore much resented the President's

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[1] Downing's Compendious History of the Indian Wars, 1737. Among Angria's chief captains was James Plantain or Mulatto Tom, a natural son of the pirate Avery. He also had 6 or 8 Gentu (Hindu) sepoys and two fishermen (Kolis) who came with him from Bombay. These men had been in the British service in Bombay.

[2] The attack took place just outside Bombay harbour. Chown had his arm shot off and bled to death in his wife's arms. She and others were carried off to Kene y; but the Bombay Government ransomed her for Rs. 30 000 subscribed by "the gentlemen of the Island." Chown was her second husband: and she later married a third, William Gifford of the Bombay Council, who was cut to pieces at Anjengo. Downing.

[3] Downing, *Ibid.*

[4] *Ibid.*

[5] Downing's Compendious History of the Indian Wars.

not saluting him on his arrival in the harbour. The President of Bombay knew the length of his own commission, and as he was President for the King and a Governor for the Company he imagined, as all other great men in such stations would, that he was something superior to a Commodore of a squadron, though the Directors of the Company had sent orders by the *Grantham* for him to salute the Commodore on his arrival. After many messages to and fro, disputing who should fire first, the President in Council complied to salute him and then the Commodore thought fit to go on shore. The island of Bombay was now thronged with the Navy-officers who looked as much superior to us as the greatness of their ambition could possibly lead them. There were daily duels fought by one or other of them and challenges perpetually sent round the island by the gentlemen of the navy. Having such a great number of gallant heroes we were in great hopes of totally demolishing Angria." In consultation with the Bombay Council the Commodore decided to attack Angria in Alibag, making Chaul his base of operations, and the Viceroy of Goa and the Portuguese General of the North at Bassein were both invited to assist in the attack. "The Viceroy with much pretended zeal came in person, designing to head such forces as he had raised. The General of the North also came down to Bombay and was most magnificently entertained by the President." Unfortunately the attack, though well-planned, entirely failed, owing chiefly to the timidity and duplicity of the Portuguese. On the day of the attack, for example, "the Viceroy of Goa went aboard his ship, pretending that he was very ill The Commodore sent his own doctor to him to offer his services and supply him with such medicines as should be convenient for him, if he was really taken ill. But the doctor returned and reported to the Commodore that he did not perceive anything to be the matter with him." The behaviour of the Viceroy was reflected in the conduct of the Portuguese troops, who failed to advance, as arranged, at the critical moment, and the final scene depicts the choleric Commodore "coming ashore in a

violent rage, flying at the General of the North and thrusting his cane in his mouth, and treating the Viceroy not much better." Up to the date of Governor Boone's departure, with which the period under review closes, no further action was taken against Angria.

The ill-behaviour of the Portuguese on the occasion of this attack was in keeping with the line of policy adopted by them throughout the period. Aungier had endeavoured prior to his death to arrange a treaty with them, under which Portuguese boats were to be free of all port-dues at Bombay in return for a similar concession to Bombay boats at Thana and Karanja, but on the strength of advice given to the Prince Regent of Portugal by the Viceroy of Goa the proposals were rejected.[1] In 1679 serious friction arose over a demand made by the Governor of Bombay for payment of duty amounting to Xs 100 on a Portuguese vessel which had loaded at Karanja[2]; in 1684 Dr. St. John, Judge of Bombay, informed the king that the Portuguese were secretly aiding the interlopers and had given help to Keigwin[3]; in 1685 the Portuguese seized a rice-boat and ship belonging to President Gifford and imprisoned the crew and passengers[4]; and in 1691 the Bombay Council were obliged to seize all the lands belonging to the Jesuits in Bombay in revenge for the help accorded by the latter to the Sidi.[5] These and other events, such as the imprisonment of Fra John de Gloria by Vauxe for having converted Nathaniel Thorpe to Roman Catholicism, originated in the antagonism which first sprang into existence with the marriage-treaty between Charles II and the Infanta Catherine, and continued until Chimnaji Appa strode victorious over the battlements of Bassein. "They (the Portuguese) have

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[1] Tratados, T., III, 133. Danvers' Report on the Portuguese Records, 70-72.

[2] Tratados, T., III, 160. *Ibid.*

[3] Dr. St. John to King, 20th September 1684.

[4] Surat to Deputy Governor, January 6, 1685.

[5] Bombay to Court, January 15, 1691; Tratados, T., III., 170-71; Edwardes' Rise of Bombay. Court to Surat and Bombay, May 1st, 1693.

stopped all provisions from coming to the island," wrote Sir John Gayer in 1700. "All this puts the poor inhabitants into such a consternation that they think of nothing but flying off the island to save their little, for fear they should lose all as they did when the Sidi landed."[1] About twenty years later similar attacks and reprisals were still taking place; for, according to Downing, a Portuguese boat in his time ran past Bombay without paying duty whereupon "Mr. Home, the English Chief at Mayham (Mahim) sent out a gallivat to bring the Portuguese boat to. Accordingly the gallivat fired a gun, which was soon returned by the Portuguese fort at Bombas, opposite to Mayham, the river not being above musket shot over. The English soon answered their shot and they kept cannonading each other almost four days Then we sent up some mortars, which soon beat their church and town about their ears. However, Governor Boone sent Mr. Bendall to the General of the North to adjust this affair. The President and Council also sent Mr. Cowing to the Viceroy of Goa, with complaints of the behaviour of the General of the North."[2]

Up to the date of Charles Boone's arrival the island was continually menaced by European and Native enemies, and the progress of trade was hamper d by an impoverished treasury and by internal schism. The letters and documents of the last quarter of the seventeenth and the opening years of the eighteenth centuries portray the anxiety felt both by the Court of Directors and the Bombay Council at the power of the Sidi, the Pirates, the Marathas, the Mughal Government and the Portuguese. By 1681 Shivaji and his rival were in possession of Henery and Kenery whereby "the administration of the island of Bombay has been the most difficult as well as the most embarrassing part of our duty"; Sambhaji's "twelve armed gallivats" interrupted trade; the presence of the Mughal fleet exposed the island to sudden attack. The Bombay Council had no alternative but to try and keep peace with both Maratha and Musalman, and determined not to precipitate a struggle with

[1] Edwardes' Rise of Bombay.

[2] Downing's Comp. History of the Indian Wars.

"the Shivajis" as long as they were powerful enough to seize Bombay boats, as in 1701, and insist upon making Bombay the arena of their conflicts with the Sidi Admiral of the Great Mughal.[1] There were French alarms also—reports of "three French ships that lay at anchor off Old Women's island, weighed and betook themselves to a clean pair of heels," and portents in the shape of a Danish fleet which, cruising too near the island, "hindered our trade and made our merchants fearful of going to sea." In consequence of these circumstances the population of Bombay decreased the Company's coffers were gradually depleted, the defences of the island were neglected and trade languished.

But with the arrival of Charles Boone on the 26th December, 1715, a brighter day dawned. His first achievement was to render Bombay secure from attack. With that object in view he carried out the plan which Aungier had formulated forty years earlier and, in the words of Downing, "built a wall round the town of Bombay and fortified the same with a strong guard, kept at Mendon's (Mendham's) Point on the south part of the island, with strong gates and a large bastion, on which they could mount twelve fine cannon, and in the lower part were four large cannon that commanded all the harbour, each carrying shot of 48 pound. The west and north gates were as strongly fortified."[2] He also extended the old dock-yard in the Fort, established the Marine,[3]

[1] Edwardes' Rise of Bombay.

[2] Downing's Comp. Hist of Indian Wars. On this point Hamilton observes:—' Mr. Aungier advised the Company to enclose the town from Dungeree to Mendham's Point for securing the trading people from the insults of their troublesome, beggarly neighbours in the continent; but his proposals were rejected and that necessary piece of work was reserved for Mr. Boone also. And happy it was for the inhabitants that the town was secured by a wall, otherwise Connajee Angarie would have harassed them with continual insults since his war with the English began." New Account Vol I. p. 88. The town-wall was finished in June 1716. R. P. Karkaria in the Times of India, 1906.

[3] Downing remarks that "The town of Bombay was unwalled and there were no grabs or frigates to protect any thing but the fishery. When the Hon. Charles Boone arrived there in 1715 the island was in a declining postur , but that gentleman soon promoted the trade and tranquillity of it. He had several frigates built at Surat."

and encouraged the erection of several buildings, in particular the Church, now St. Thomas' Cathedral, which was opened with considerable pomp on Christmas Day, 1718. He also settled quarrels about customs dues in a treaty with the Portuguese (dated December 1716); but the Portuguese would not observe the treaty, and continued to intrigue with Angria against the English. Under his auspices the depredations of Angria were to some extent checked; a Secret War Committee was appointed; and an expedition against the pirate's chief stronghold was despatched under the command of Mr. Walter Brown. On the 17th October 1720 "the *Defiance*, the *Elizabeth* and a gallivat from our fleet before Gheria" brought news that Mr. Brown had landed a detachment, slain a large number of the enemy and destroyed some of Angria's shipping.[1] With the Portuguese also Boone dealt summarily. In May 1720 he ordered all Portuguese priests and Bishops to quit the island within twenty-four hours, on the grounds that they were implicated in Rama Kamati's supposed treasonable dealings with Angria, to which the Portuguese responded by stopping several Bombay ships, beating Bombay workmen, and seizing Bombay letters addressed to Madras. Thereupon, in July 1720, Boone issued a proclamation "requiring all persons who live in other parts to repair hither with their arms in the term of twenty-one days, on pain of having their estates confiscated to the Right Honourable Company"—a proceeding which so greatly annoyed the Portuguese, many of whom owned property in Bombay, that they erected a gibbet at Bandora and "hoisted up and let down again three times De Chaves and another man, both inhabitants of the island, who were sent hence to give Fernando de Silvera notice of the proclamation."[2] Boone thereupon confiscated all the Portuguese estates

[1] Edwardes' Rise of Bombay.

[2] In 1722 the Portuguese fired on Mahim fort. The English retorted with shells which "damnified their college at Bandora." In August of the same year the Portuguese attempted an invasion between Sewri and Sion. [A Description of the Port and Island of Bombay, 1724.]

and had a rule passed that no one, who was not a regular inhabitant of Bombay, should for the future be allowed to purchase any land in the island.[1]

The one blot upon Boone's governorship was his treatment of Rama Kamati[2] in the matter alluded to above. This man had been an old ally of the Company and apparently had given the Bombay Council much assistance in times of stress; for in a letter to Bombay of June 30th, 1690, the Surat Council wrote: "On the island is Ramagee Comajee (Rama Kamat-ji), an old trusty servant of the Right Honourable Company and one that has stood by them on the island all the wars and has been very assisting on all occasions not only in procuring men but in encouraging them to fight the enemy. He is one the general had a great kindness for, for his good services, and knowing him to be a great sufferer by the war promised him encouragement. Those that know him give him a very good character." In spite of this, however, Rama Kamati was arraigned for high treason in 1718, the chief evidence against him being a letter dated October 12th, 1718, purporting to have been written by him to Kanoji Angria, which commenced as follows:—"To the opulent, magnificent as the sun, valorous and victorious, always courageous, the liberal, prudent and pillar of fortitude, the essence of understanding, the protector of Brahmins, defender of the faith, prosperous in all things, honoured of kings above all councillors, Senhor Kanhoji Angria Sarqueel,—Ramaji Kamati your servant writes with all veneration and readiness for your service, and with your favour I remain as always. Our General here has resolved in Council to attack and take the fort of Cundry (Khanderi or Kenery), and thus it is agreed to environ the said fort on the 17th October, and the armada, powder and ball and all other necessaries for war are ready. I therefore write your honour that you may have the said fort well furnished." It is possible

[1] Edwardes' Rise of Bombay. Bombay Gazetteer Materials, Part I.

[2] Rama Kamati was a Shenvi. His surname was probably Kamat, to which old documents have affixed a superfluous "*i*."

that the trial, which caused considerable excitement throughout Bombay and Western India, might have ended in the acquittal of the accused, but for the action taken by Boone. "On his own responsibility," writes Philip Anderson, "the Governor examined the clerk (*i.e.*, Rama Kamati's clerk) respecting the contents of the letter, but could not induce him to make any disclosures." So availing himself of his antiquarian knowledge and remembering, we presume, that the degenerate Romans allowed an unrestricted use of the *questio* in cases of treason, His Honour resolved to try whether the secret could be wrenched out, and to use his own words, the man "did not confess till irons were screwed on his thumbs, the smart whereof brought him to confession." Govindji himself was then examined and although he denied all knowledge of the letter, his equivocation betrayed him, so that it became necessary to squeeze the truth out of him also. His Honour, as chief inquisitor, had the terrible irons applied and Govindji confessed all that was required." These confessions turned the scale against the unfortunate Shenvi who was at once found guilty and sentenced to "perpetual imprisonment in the Trunk" (*i.e.*, Portuguese *tronco*-jail) and to have his property, worth Rs. 40,000, confiscated. His fate was shortly afterwards shared by Dalba, a Bhandari, who was likewise convicted of treason. The justice of the sentence has been severely commented upon by posterity and there is some ground for holding that the documentary evidence against Rama Kamati may have been forge . "We have no reasonable doubt," writes Philip Anderson, "that Government was the tool of a base conspiracy and as such committed a cruel act of oppression. It is probable that the prisoner, with the native love of intrigue, had so far played a double game as to hold secret communication with Angria, but the evidence adduced to prove that those were treasonable was damnably false. Never even in Indian Courts of Law were perjury and forgery used with less scruple and more subtlety. Many years afterwards when the condemned man had pined in prison. his family were sunk in the depths of poverty, and his judges reposing

comfortably in the belief that they had administered impartial justice, it oozed out that vile caitiffs had forged the letters which were produced against Rama and attached to them fictitious seals!"[1]

Excluding this business of Rama Kamati's trial, Charles Boone's services to Bombay were of the highest value; and the results of his governorship are suitably portrayed by Downing in his account of Boone's departure from the island in January 1722. "The time limited for the Government of the Honourable Charles Boone Esquire was expired," he remarks, "and the Court of Directors appointed the Honourable John Pitts (Phipps?) Esquire to succeed him. Governor Boone had behaved in so honourable a manner that it was with the utmost reluctance that all ranks of people at Bombay parted with him. And it may be truly said that none of his predecessors in that post ever deserved so much on all accounts or had such real respect paid them. He left the island of Bombay in January 1722, and embarked on board the *London* (Captain Upton) and had with him the *Greenwich* in company (Captain Barnes). Though this honourable gentleman was defeated in most of his undertakings against Angria, with no small trouble and concern to himself, he left the island in a good posture of defence both by sea and land. He found the same unguarded and very poor, but left it flourishing in trade, and many merchants were come from Madras and Bengal to settle there. After His Honour was attended to the waterside by most of the inhabitants, he took his leave and returned them his hearty thanks for the sincerity of their friendship and subjection during his Government. When the *London* was under sail and the other Governor taking his leave, he delivered up the keys and the charge of the island, with all the proper writings in a large box. At his Honour's embarking the guns fired

[1] Anderson's English in Western India, III, 50-52. Edwardes' Rise of Bombay. R P. Karkaria in Times of India, 1906. G. W. Forrest (in charge Secretariat Records, Bombay) remarks that Boone himself should have been arraigned fo high crimes and misdemeanours (Bombay State Papers, Home Series, II, 9). This is probably too sweeping a condemnation. His treatment of the Revd. R. Cobbe was however unjustifiable.

all round the Fort, as did the shipping and naval forces of the island, except the men-of-war."[1]

1722—1764 Up to the middle of the eighteenth century the policy of the Company in Bombay was to temporise with the various Native powers in Western India and to utilize the comparative tranquillity thus engendered in gradually strengthening their political and commercial position. Complete isolation was impossible; but having decided which of their natural enemies was likely to prove the most troublesome, the Bombay Council endeavoured to keep on good terms with that party; and whenever it became necessary to side with one power or the other, they sought to afford such assistance to the weaker as would prevent its being too speedily overwhelmed. In the matter of Angria and the Sidi, as also in the case of the Portuguese and Marathas their policy was based on these considerations. They fully comprehended that the power of the Sidi was waning, that Angria was an extremely dangerous neighbour, and that any successful attempt to subjugate the latter required a long period of preparation : and in consequence they determined by supporting the former to use him as a foil to Angria until such time as they should themselves be ready to stand alone.[2] This settled policy towards external forces, as also a settled domestic administration, were rendered possible by the fact that the dual control of affairs by the Presidents at Bombay and Surat and internal schism, which had marred all progress at the close of the seventeenth century, had disappeared and yielded place to unity of interest and purpose.[3]

In regard to the Sidi, the President reported in 1724 that "Sidi Saut of Anjanvel or Dabhol has at sundry times sent off to our vessels provision and refreshment, while cruising off that port, and has been otherwise very courteous in his advices in relation to Angria. In order to keep him in the like good disposition it is resolved to make him a present of three yards of scarlet cloth, a pair

[1] Downing's Comp. History of the Indian Wars.

[2] Edwardes' Rise of Bombay.

[3] A new charter was granted to the Company by George I in 1726.

of pistols, and a gilt sword." Eleven years later (1735) the Bombay Council advanced a loan of Rs. 30,000 to the Sidi, in order to prevent his making peace with the Marathas and possibly plundering the country round Pen, although by that date his entire fleet had fallen into the hands of the Marathas and Angria, and he himself was incapable of acting on the offensive. This was probably the last occasion on which the Bombay Council found it necessary to treat the Sidi as a possible enemy; for in 1737 they actually enlisted Sidi troops for the defence of Sion fortress and in 1746 after England had declared war with France and Spain Captain James Sterling was sent to Janjira to treat with the Sidi chief for the enlistment of 200 men, who were to form an emergency camp in the centre of Bombay.[1] The compliment was returned a year later when Sidi Masud, who had caused much trouble at Surat by his conflict with the Muhammadan governor, was permitted to enlist troops in Bombay and was furnished by the marine storekeeper with two 4-pounder and six 6-pounder iron guns for the use of his grab, at the rate of Rs. 18 per cwt.[2] Subsequent to this date this once troublesome opponent sinks into complete insignificance, and confines his diminished activity to consolidating his own position in Jafarabad and Janjira.

The tale of Bombay's dealings with Angria is somewhat more stirring. At the outset of the period (1722) we find Bombay attacking some of Angria's grabs at "Worleigh" (Varli) and carrying one of them back to Bombay:[3] the pirate retorts by capturing a Bombay ship in 1728 and attacking another in 1730.[4] The following

1 Edwardes' Rise of Bombay. In 1713 the Bombay Council made an alliance with the seven principal Sidis of Rajpuri against Angria.

2 Edwardes' Rise of Bombay.

3 Downing's Comp. Hist. of Indian Wars.

4 The ship captured in 1728 was the "King William" in command of Captain McNeale, who after a fruitless attempt to escape was loaded with irons and so severely beaten that his life was despaired of. After many years he was released with other European prisoners, after paying a ransom of Rs. 500, which, however, was subsequently repaid to him by Government in consideration of his sufferings. In 1730 it was hoped that by an alliance with the Bhonsles of Savantvadi Angria might be overcome; but although a treaty was actually ratified, no good came of it. (Bomb. Quart. Review, VII. 72-79.)

year witnessed a hot engagement between "the *Bengal* galley" and Angria's grabs, while in 1733, when at the instance of Teg Beg Khan the Company undertook the role of "Protectors of Trade," Lieutenant Inchbird commanded an expedition against the piratical stronghold at Underi. About this date Kanoji Angria died, leaving two legitimate sons, Sukoji and Sambhaji, the former of whom obtained Kolaba as his share and the latter the south Konkan territory. Sukoji made friendly advances towards the Bombay Council and on the 21st June 1733 sent two envoys to the island with proposals for a definite peace. But death frustrated his object; and in his place arose Manaji, an illegitimate son of the late Kanoji, who, with the assistance of the Portuguese, captured Kolaba and successfully resisted all Sambhaji's efforts to displace him. Forming an alliance with the Marathas, whose power was rapidly becoming absolute, he endeavoured to take the fort of Anjanvel, under the guns of which lay the fleet of the Sidi of Janjira. "To present such a consummation and check the growth of his power, the Bombay Council (in 1737) sent Captain McNeale, who had recently regained his liberty, and Lieut. Inchbird with the *Victoria*, *Bombay*, and *Princess* galleys to the Sidi's assistance; but for some reason they did not sail until the following March, and even then, although their force consisted of two ensigns, four sergeants, four corporals, forty European soldiers and sixty topasses, with six nine-pounder guns, they were not empowered to take active measures, but merely to consult with the Sidi and deliver to him sixty barrels of gunpowder and a hundred muskets. Such lukewarm aid was, as might have been expected, unavailing; and Manaji Angria having gained possession of his enemy's grabs and gallivats, was permitted to retain them on paying Rs. 70,000 to the Peshwa, who acquired for himself several of the Sidi's forts.

"Another of the same Angria's conquests caused more vexation and dismay to the English Government than all the rest :—Revas on the river Pen, which flows into the harbour of Bombay, became his, and thus he held in his hand a key to the communication of the island with the continent. A passage boat plied regularly between

the two places for the convenience of the Brinjaris who brought merchandise from the interior and who, it was feared, might on their return convey to the pirate-chief intelligence of all that was occurring in Bombay. At first it was proposed that the ferry should be stopped ; but on reflection the Councillors of Bombay decided that its continuance was most important to their trade ; that if this means of information were destroyed still Angria could always learn all that he required, in some other way, from his countrymen who reside on the island, and that, after all, any advantages or disadvantages of keeping this communication open would be reaped in equal portions by themselves and their enemy; for although their measures would be revealed to him, they would also be provided with an opportunity of seeing through his subtle designs.

" So serious were the injuries inflicted by Manaji and Sambhaji, and so heavy the expense of fitting our ships to protect trade, that the Company were prevented from making their usual investments, and in their alarm even began to anticipate an extinction of their commerce in Western India. Emboldened by success and looking for support from the Raja of Satara, the Angrias aspired to bring all the Sidi's territories under their subjection, and possess themselves of every port on the coast between Bombay and Goa. Nor, in all probability, would their efforts have been fruitless, if family discussions, which so often thwart the best designs of Native powers, had not intervened. Manaji and Sambhaji became estranged from each other, to the great satisfaction of the President and Council, who at once resolved to foment their disputes. With that view they sent to Kolaba Captain Inchbird, who had become better acquainted with the customs and languages of the Natives than all his contemporaries, and was in consequence the favourite diplomatist of the day. His instructions were simple ; he was directed to assist Manaji with money and military stores and " to take all opportunities of spiriting him up to carry on his resentments against his brother."

" At the same time naval operations were undertaken, and Commodore Bagwell, with four grabs, having cruised

for long in search of Sambhaji's fleet, and only caught occasional glimpses of them, was delighted on the 22nd December 1738 to see nine of his grabs and thirteen gallivats issuing from the port of Gheria, and creeping timidly along the shore. Disproportioned as his force was in numbers, he at once bore down upon them; but, anxious only to avoid a conflict, they stood into the river of Rajapur, where the gallant and impatient Commodore beheld them lying at anchor, and in bravado displaying all their flags and pennants. At a loss to account for what he called such "consummate impudence," he conjectured that they must be relying for safety upon a fort, or some hidden dangers of the navigation with which he was unacquainted. After a brief consultation, however, with his two captains, he resolved to engage them at close quarters, and made all sail to approach them, as his crews gave three hearty cheers. But the enemy's defiance had been only vain show, and on seeing the English really bearing down upon him, his first aim was to run up the river. The eager Commodore used his utmost efforts to prevent him from carrying this into effect. "Before some of them could slip or cut," he wrote afterwards, "I was within musquett shot, and did really think I should have been on board one of them." As it was, luck did not declare in his favour; they scampered off under his heavy broadsides, until he found himself with only four fathoms of water and locked in by the rocks. Ignorant of the navigation he was compelled to give the signal for retiring, and had but the slight satisfaction of hearing afterwards that he had inflicted much damage upon the enemy's fleet, and killed his chief admiral.

"Thus avoiding all encounters with the English fleet, Sambhaji still contrived to prey upon their shipping. On the 26th or 27th December, 1735, he had inflicted a most severe blow on their trade by attacking the *Derby*, a large merchantman, with five of his grabs. After a severe engagement, in which all her masts were shot away, he succeeded in making her his prize, and thus procuring such a large supply of naval stores that he was enabled to equip his ships as well as any on the

coast.[1] The same year in which his ships had fled so disgracefully before the little squadron under Commodore Bagwell, he was much elated by capturing the Company's grab *Anne* and several smaller vessels with rich cargoes. As though satisfied with such signal successes he pretended to wish for peace, and in 1739 made overtures to the English government; but as he demanded that they should provide all their trading vessels with his passes, and pay him two millions of rupees annually for the free navigation of the seas, his proposals were at once rejected as absurdly extravagant. The following January he fixed his eyes upon a larger prey than he had ever before ventured to attack. On the ninth of that month as the *Harrington*, *Pulteney*, *Ceres* and *Halifax*, four East Indiamen which had just arrived on the coast from England, were waiting for a convoy, they descried at sunset fifteen sail, which they soon knew to be Angria's fleet. Singling out the *Harrington*, as she was some distance from the rest, the enemy formed their line abreast, according to custom and, firing their prowguns, bore down upon the Indiaman, which at first only replied with her stern chasers; then finding her weight of metal superior, tacked and delivered three broadsides. After a distant contest of five hours, the pirates sailed away; but unwilling to lose such a rich prize, appeared again at five the next morning, rending the air as they drew near with discordant music. This time the *Harrington* accepted their invitation at once, and they were proportionately reluctant to engage at close quarters; but at last she came up with three large grabs, including their admiral's, and shortly afterwards no fewer than six were within a few yards of her. At noon their admiral's vessel was crippled, and they sheared off, the gallivats which were impelled by oars taking him in tow, and thus getting to windward, where the large English ship could not follow them. Their repulse at that juncture was most fortunate as the ammunition on board the *Harrington* was expended, and her commander could not have continued the fight

[1] Downing refers to this attack on the *Derby* and states that she had on board several English ladies and their maids, "who had come out to promote their fortunes." Among them was the sister of the Governor of Tellicherry.

longer. Knowing that it was his best policy to look his enemy in the face, he lay to for three hours, but they did not venture to renew the engagement.

"As for Manaji Angria he was a fast and loose friend or an actual enemy, just as it suited him. Even his friendship was dangerous, and, to use the comparison of the Indian moralist, he was like coal which, when hot, burns the hand and when cold, blackens it; when he professed to be a close ally of the English, his covetous nature could not resist the temptation if one of their unarmed ships happened to be sailing near his quarters. At the very time his envoy was making protestations of friendly sentiments at Bombay, he seized two vessels laden with grain for the island, and before remonstrance could reach him, two other vessels belonging to the factory of Surat. All complaints and threats he met with excuses and evasions. When however he had gone so far as to make English prisoners labour at his public works, such insolence could no longer be tolerated, and in March 1739 Captain Inchbird sailing with his little fleet to Karanja, which had just fallen into Manaji's hands, captured eight of his fignting gallivats and thirteen fishing boats. In November Manaji took the Island of Elephanta, hoisting his flag there in defiance of the little English garrison of Butcher's Island; and although he had begun an amicable correspondence in April and showed a disposition to make restitution for past injuries, he detained in July four boats which they had sent across the harbour to open communications with the General of the Maratha Peshwa. As this last insult was offered at a time when a rupture would have been inconvenient, it was overlooked, and a hollow peace was made between him and the English Government. Some time afterwards, misfortunes changed his disposition, and brought him as a suppliant to Bombay, where he represented that his brother Sambhaji having taken Chaul, Alibag, Thal and Sagargad, had laid siege to Kolaba, and cut off all the fresh water of the garrison. At his earnest request the President and Council sent a few grabs, which conveyed a supply of water, scared Sambhaji's fleet away, and opened such a heavy cannonade upon his camp, as compelled him to

remove it from the sea-side and throw up entrenchments for its protection. The humbled invader then begged that the English commanders would permit him to retire quietly, and on that being refused he made a disorderly retreat.

"No sooner however had Manaji been thus delivered from his brother's grip than the approach of friends threatened him with a worse danger. The Marathas were actually marching to his relief, which signified in other words that they proposed settling themselves in Kolaba and appropriating its revenues to themselves. Dismayed at the prospect, he deprived them of all excuse for any further advance by hastily patching up a truce with Sambhaji, and the two Angrias having received a wholesome warning, lived for a time in fraternal concord." [1]

In 1748 and again in 1752 occurred further piratical excesses on the part of the Angrias; and the Bombay Council seeing no hope of bringing Sambhaji to reason decided to form an alliance against him with the Marathas. [2] In 1755 the coalition was formed and resulted in the despatch in the same year of an expedition against Tulaji, the successor of Sambhaji, which met with unqualified success and ended in the inclusion of Bankot among the Company's possessions in Western India. "By articles of agreement with the Marathas in March last," remarked the President (Richard Bourchier), "when our troops went with them on an expedition against Tulaji Angria, it was stipulated that the forts at Pancote (Bankot) and Himmatgad with their dependent villages should be yielded to our Honourable Masters and the other conquered places to the Marathas. In consequence of this stipulation the Marathas have offered and are now

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1 Bomb. Quart. Review, VII, 72-79; Consultations of Bombay Council; Grant Duff, I., 16.; Edwardes' Rise of Bombay; Bombay Gazetteer Vol. XXVI., Part I.

2 Edward Ives remarks in his "Voyage from England to India" that "during my stay at Bombay (1754) two fleets of country vessels came into the bay; one of them belonged to the Nanna or Prince of the Maharathas, the other to Manaji Angria, the brother of Angria the pirate. These vessels were not unlike the Tartans of the Mediterranean, only a great deal lower. They carried two guns in their bow and vast numbers of men."

ready to comply with their engagement." The Council thereupon appointed Mr. Price Chief of Bankot, and despatched a force to garrison the place.[1] But Tulaji Angria was not yet conquered.

After the capture of Suvarndrug in 1755 he took refuge in the stronghold of Gheria (Vijayadrug) built upon a craggy promontory, almost surrounded by sea, and moved his ships under the shelter of its walls. When the monsoon of that year was over, the naval and military strength of Bombay was increased by the arrival of Admiral Watson with the Royal Squadron and of Colonel Robert Clive with a large detachment of the King's troops from England. The troops had been sent to attack the French and their allies in the Deccan, but the Bombay Government thought they might first be employed with advantage in destroying the pirate. Admiral Watson consented on certain conditions to employing the King's ships in reducing the fastness, and Colonel Robert Clive tendered his services. Commodore James was sent with three ships to reconnoitre the fortress which was believed "to be as strong as Gibraltar and, like that, situated on a mountain inaccessible from the sea." He however reported that "the place was not high nor nearly so strong as it had been represented." On the 7th February 1756, the fleet sailed from Bombay. It consisted of 12 men-of-war (six of the royal fleet and six of the Company's), five bomb-vessels, 4 Maratha grabs and 50 gallivats. Aboard the ships, to co-operate

[1] Edwardes Rise of Bombay, p. 176. . . . Bombay Gazetteer Materials. This victory was won at Suvarndrug by Commodore James of the Bombay Marine. After the fall of Suvarndrug James proceeded to Bankot, which surrendered at the first summons, and was handed over to the Marathas to keep for the English. On his return, the English Commodore according to agreement made over Suvarndrug to the Marathas and in October we took possession of Bankot and changed its name to Fort Victoria. Commodore James returned to Bombay on the 27th April 1755; but the Home Board having had pressing letters from Nana and his generals that he should assist them in reducing Ratnagiri, they reluctantly consented to send him there. In a letter to the Honourable Company we are told, "On our vessel's arrival at Ratnagiri they flung a few shells into the place, but the shell tumbling in on the approach of the monsoon made it impracticable to direct the shells with any hopes of success, and the time being elapsed to which we had limited the Commodore's stay to the southward he returned again and imported the 18th May.' (Selections from State Papers (1885), Maratha Series, p. viii.)

with them on the land side, was a force of 800 Europeans, a company of King's Artillery, and 600 Native troops. Before the fleet sailed the chief officers met to determine how the prize money should be divided. According to the King's proclamation Clive was only entitled to the same share as the Captain of a ship, but Watson generously consented "to give the Colonel such a part of his share as will make it equal the Rear-Admiral Pocock's."

On the 11th the squadron arrived off Gheria and found the Maratha force camped against it. Tulaji Angria terrified at the strength of the British fleet, left the fortress in charge of his brother and took refuge in the camp of his own countrymen. The Maratha general then endeavoured to persuade the admiral to postpone the commencement of hostilities, promising to bring Tulaji in person the next morning to arrange a peaceful surrender of the fortress. But as he failed to keep his word, the admiral gave the signal for attack. On the 13th February at 6-23 p.m., the flag in Gheria was struck, and an officer with sixty men marched into the fort and took possession; at 6-36 p.m., the English flag was hoisted. The following day Clive marched in with all the land forces, and then despatched a boat to Bombay with letters recording the capture of the Fort and the destruction of Angria's entire fleet.[1] Thus the pirate disappeared for ever from the

[1] Selections from State Records (1885), p. viii. Edwardes' Rise of Bombay. The Bombay Quarterly Review, X, 290-91, records that Clive, on his return to Bombay from Gheria, quarrelled with the Bombay Council on the grounds that they had not consulted him before holding a court-martial on Sir James Foulis, Chief Engineer. "He was reduced to the necessity, as he observed, of reminding the President and Council that he was Commander-in-Chief of His Majesty's forces, that he bore other distinguished titles, and had not been treated by the Honourable Richard Bourchier, Esq.—who indeed was never remarkable for civility—with proper courtesy. His letter was answered by Daniel Draper, Secretary to Government, who in the name of his superiors tried to check the spoilt hero's arrogance by a little delicate satire. He could not of course pretend to instruct such an officer in his military duties, but he would venture to refresh his memory on a few points which all knew, save those who were wilfully ignorant. Officers did not always attain to command by seniority, as the young Colonel well knew. That depended upon the pleasure of the supreme authority. The Government of Bombay fully acknowledged the respect due to His Majesty's commission, but they were at liberty to choose whether they would engage Colonel Clive's military services or not. The Lieut.-Colonel wrote as "if he was the only bearer of this commission in Bombay; but many other officers bore it, and all

political arena and in due course settled down to the life of a country-landholder, subject to the laws of the British Government.

Meanwhile the forward march of the Marathas had introduced a new political element into the consultations of the Bombay Council. "The power," remarks a writer in the 'Bombay Quarterly Review,'[1] "which of all others, was every day becoming more formidable, not only on account of its great resources, but also of a certain mystery which in the opinion of the English hung about it, was that of the Raja of Satara, or rather of his ambitious minister. The active and marauding Shivajees, as the Marathas had been called, now mustered regular armies, with well-equipped trains of artillery, and not content with levying blackmail in the open country, were prepared to batter down walls, and capture their neighbours' fortresses. Their propensities were indeed feline rather than canine, and preferring weak to strong enemies, they set their covetous eyes on the Portuguese possessions which lay at intervals between Goa and Surat, all of which they had sanguine expectations of acquiring. In the vicinity of Bombay their progress was more alarming than elsewhere. As they advanced, the Portuguese resisted, sometimes with desperate courage, like some wild beast at bay, which may for a while stagger the hunters by the ferocity of its aspect, but unable to save its own life, can at worst only inflict mortal injury upon one or two of its numerous assailants. Year by year the power which, since the days of Albuquerque, had added romantic pages to Indian history; which, instead of being content like the British with the monotonous details of commerce, had been distinguished alike by the brilliancy of its heroism and the magnitude of its vices, by the sack of cities, the plunder of helpless ryots, the establishment of the inquisition and other such tender appliances for the conversion of the heathen, by the multitude of its slaves and the capaciousness of its hidalgos' harems—year after year that

concerned in the propriety of the arrangements made for this court-martial. In conclusion, the Government assured him that they had no wish to insult him as he supposed, and they would refer the question in dispute to the Court of Directors."

[1] Bombay Quarterly Review, VII, 72—79.

power was being curtailed by the encroachment of its enemies, and ever and anon tidings reached Bombay that the Marathas had seized another Portuguese fort or appropriated to themselves the revenues of another Portuguese district. In 1731 Thana was threatened, and the Government of Bombay, disposed at the time to assist the weaker side, sent three hundred men to garrison it, but soon afterwards withdrew their aid and rather countenanced the aggressors. 'The Portuguese territories adjacent to Bombay,' they wrote, 'have been suddenly invaded by the Marathas, a people subject to the Sow (Sahu) Raja, who have prosecuted their attempts so successfully as to render even our Honourable Masters' island in danger.' In 1737 the Maratha army sat down before Thana, and although the Portuguese repelled two assaults with bravery, the third struck them with panic, and the place was taken."

Hence on the 27th April 1737 the President recommended his Council "to take into consideration what part it will be proper for us to act in the present juncture, though it will not be prudent to come to a final resolution till we know for certain what force the Portuguese can raise. An idle proposal has been made for permitting the Marathas to conquer Salsette and privately treat with them for delivering it to us. Besides the perfidy of such an action in regard to the Portuguese and the mischief it might bring upon our Honourable Masters from that nation, so many objections and difficulties occur against so treacherous a scheme that we can by no means think of undertaking it, were we even secure of the event." It was finally decided to hold aloof from the struggle for the present and to despatch "Ramji Parbhu, a person of capacity and experience," to discover what were the exact intentions of Chimnaji Appa, the Maratha general. Closer and closer pressed the invaders round the Portuguese, who repeatedly taunted the English with not making common cause against "the idolators and the common enemys to all European nations"[1] and finally sent Padre Manuel Rodrigo

[1] Forrest's Selections (1885), ii-iii. The President adhered to his neutrality, but sent fifty men with some ammunition to assist

d'Estrado from Bassein to Bombay to plead for assistance. In spite of the specious arguments of the priest, the Bombay Council adhered to their position of neutrality and desired the President to write to that effect to the General of the North. The end came in 1738. Once again the Portuguese raised a despairing cry for help, to which the Governor replied in the words "I dare not hazard to increase our charges by a rash and abrupt declaration of war against these people not only without the orders of my superiors, but without a force to support it and carry it through with dignity and reputation." From Goa also came a final appeal to which the Council responded "by venturing a loan even at the hazard of our own private fortunes, in case of the same being disavowed by our employers ;" and then—the curtain fell upon Portuguese dominion in the North Konkan, Bassein yielded to Chimnaji Appa's hordes, her inhabitants fled to safety in boats provided by the Bombay Council, and Salsette with its churches, monasteries and its Christian population became the property of the "imperial banditti."[1]

The Bombay Council were thus called upon to decide what policy to adopt towards the Marathas, and they wisely resolved to court their friendship for the time being. No sooner had Bassein fallen, therefore, than they despatched an emissary to Chimnaji Appa with a letter of congratulation and a present of several yards of cloth, and in 1739 concluded through Captain Inchbird a treaty with the Peshwa, whereby they were permitted to trade freely throughout his dominions.[2] The same officer was appointed to act as mediator between the Portuguese and Marathas in the matter of the transfer of

in the defence of Bandora. These were withdrawn when the Maratha general declared his intention of attacking the place.

1 Edwardes' Rise of Bombay. The Portuguese made gallant stand both at Bassein and Chaul, but were eventually forced to yield.

2 The advance of the Marathas had led in 1735 to the appointment for the first time of a Foreign Secretary, "as the correspondence with the country governments had grown very large and proved a great trouble to the President" John Cleland was appointed. (J. D. in the Times of India of 5-2-1898.) Regarding the treaty of 1739, see Forrest's Selections, p. vi.

Chaul in 1740; and throughout the ensuing twenty years the Bombay Council never lost an opportunity of strengthening the bonds of friendship between themselves and the government in Poona, being encouraged in their policy by the Directors of the Company in England who to their advices on the subject of alliance with the Marathas ever added a note of warning against possible acts of treachery or hostility.[1] In 1757 when the prospect of a French invasion was imminent, the Marathas offered to accommodate all European ladies and children at Thana; in 1759 a new embassy was sent to the Peshwa who was reported to be annoyed at the Bombay Council not having assisted him to capture Janjira; while in 1760 one Govind Shivram Pant "delivered at the Company's new house an elephant presented by Nana (*i.e.*, the Peshwa) to our Honourable Masters."[2] In this manner, by the constant exchange of presents and expressions of good-will, Bombay contrived to avoid open rupture with a power which, while thoroughly distrusting, she knew she was not yet strong enough to meet on equal terms. One by one the Sidi, Angria and the Portuguese had succumbed; but their capacity for opposition was very small compared with that of the Marathas: and the Bombay Government very wisely set themselves to the cultivation of an open friendship until they had improved the military and marine forces of the island.

The proximity of the Marathas, coupled with the declaration of war by England against France and

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[1] See Edwardes' Rise of Bombay, for references on this head.

[2] This elephant formed the subject of a strong complaint by the Directors against the Governor, Richard Bourchier, for extravagance. One of the items of expenditure reported to London was "Rs 812 for provisions for the President's elephant." "What does Mr. Bourchier want with an elephant," they asked. The Governor replied that "The elephant is called, but very improperly, the President's; for he is your Honour's property and the greatest honour the Company had ever conferred upon them at this Island, and is what could not be refused nor can we well destroy it as its destruction would be very scandalous." The Directors, however, ordered him to "take the first opportunity of easing us of this burthen"; and in due course the animal was sent as a present to Faras Khan of Surat, but unfortunately died on the road. On this and other accounts Bourchier deemed it expedient to resign the office of Governor in February, 1760. (Edwardes' Rise of Bombay; Times of India of 8-12-1894.)

Spain in 1744 which lasted with intervals of comparative peace till 1762, [1] and coupled also with the possibility of commercial rivalry with the Dutch between 1756 and the close of the period under review, was responsible for a marked strengthening of the Bombay fortifications.[2] All trees within 120 yards of the outer Fort wall were cut down, and in 1739, after the fall of Bassein, the principal Native merchants subscribed Rs. 30,000 towards the construction of a ditch all round the Fort, which was finally completed in 1743 at a cost of 2½ lakhs. Between 1746 and 1760 continual additions in the shape of bastions and batteries were made to the Fort, while the old fortress on Dongri Hill was partially dismantled as being dangerously close to the town.[3] The military forces were increased by the enrolment of larger numbers of native troops; the dockyard was extended; a marine was established; and in 1735 Lavji Nasarwanji, the Wadia or Shipbuilder, was brought down to Bombay from Surat and was actively engaged throughout the whole period in building new vessels for the Company.[4] The growth of the Company's political status went hand in hand with the social and economic development of Bombay. In 1728 a Mayor's court was established; reclamation of a temporary nature was carried out at the Great Breach at Mahalakshmi; com-

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[1] The only battle ever fought by the French and English in Western India was the engagement between the *Apollo* and *Anson* which took place in 1747 within sight of Breach Candy. War with Spain and France came to an end with the Treaty of Fontainebleau in 1762, and the 1st September in that year was observed as a day of thanksgiving for the restoration of peace with both countries. At 9 a.m. the President and Council attended by the principal European and Native inhabitants repaired to the Green where the Secretary to Government, mounted as usual on horseback, read His Majesty's proclamation of peace, and a salute was fired. The Europeans then went to Church and heard a thanksgiving sermon prepared for the occasion. (Bom. Quart. Review, No. X, pp. 299-300.)

[2] Edwardes' Rise of Bombay.

Two years earlier (*i.e.* April 11th 1760) the morning and evening gun was for the first time fired. There was some fear that the Court of Directors would grumble at the trifling expense, and it was therefore arranged that a saving should be made by diminishing the number of honorary salutes.

[3] *Ibid.*

[4] *Ibid.*

munications with Salsette and the mainland were improved; sanitary administration was introduced by the appointment of a member of the Council as Town-Scavenger in 1757, by the promulgation of building rules in 1748, and by the allotment of new areas for building outside the Fort in 1746; land was taken up for public thoroughfares; the old burial-ground at Mendham's Point was demolished and replaced by Sonapur in 1760; and every encouragement was given to both Europeans and Natives to build outside the walls.[1]

By the end of 1764 Bombay had been rendered almost impregnable and far more compact than at the close of the first quarter of the eighteenth century. Colaba was still separated from Bombay by the tide, but the dam at Varli, which Captain Bates had constructed by 1727, had operated to check the inroads of the sea and had rendered the central portions of the island partly available for cultivation and habitation. The Fort, crowded with European and Native dwellings, the former "whitewashed and with covered piazzas," with warehouses, shops, and workyards was still the centre of business and urban life in virtue of its Docks, its Green, Charity Schools, Courts of Justice, Mint and Church; but north of the outer wall a new town was springing into existence between Dongri hill and the oarts, and house-dotted gardens along the shore of Back Bay. Portions of Malabar Hill were let to the native inhabitants of this new town, and practically the entire area between the modern Grant Road and the Bandora creek was under cultivation, the inhabitants of the extra-mural area being strongly protected from attack by small forts at Mazagon, Sewri and Varli and by the larger fortifications at Mahim and Sion.[2] In a

[1] For details of the town in 1750, see Grose's Voyage to the East Indies. Among the better known houses outside the Fort were *Villa Nuova* at Mahim, owned by Thomas Whitehill; the Governor's house at Parel; and the old Mark House at Mazagon, which had been kept well white-washed in the early part of the century to serve as a guide to vessels entering or leaving the harbour In 1758 Government let this house to Mr. Thomas Byfield, on condition that he white-washed the front of the house once a year.

[2] For further details see Edwardes' Rise of Bombay, pp. 169—191.

word Bombay, with her population of roughly 100,000 and her largely increased commercial relations, was practically ready by 1764 to appear in the arena and give proof of her political power, and only awaited the psychical moment to fight for the mastery of the whole of Western India.

1764-1819 The political history of Bombay during the latter portion of the eighteenth century is concerned almost wholly with the relations subsisting between the Company and the Maratha Government. Between 1763 and 1770 the Dutch made a final attempt to secure a factory in the neighbourhood of the island by secret negotiation with the Peshwa Madhav Rao[1]; while danger of war with France was not wholly absent. Letters from Madras in 1771, for example, observed that an outbreak of hostilities was probable, and in 1777 Mr. Mostyn, the British agent in Poona, despatched such alarming accounts of French intrigues at the Peshwa's court, that the Bombay Council applied to Sir Edward Hughes or his successor to bring the Royal Squadron to Bombay as early as possible. A year later the French factory at Surat was seized by the Company, and all the Frenchmen in the city, with the exception of the Consul and his family, were deported to Bombay. But as Mr. Horsley pointed out to the Governor-General in a letter of the 2nd August, 1779, there was little fear of direct attack upon Bombay: there was only the possibility that Nana Phadnavis, who was at the head of the military party in the Peshwa's government, might encourage the French by grants of territory to settle between English and Maratha territory and thus place the power and trade of Bombay in jeopardy. But the steady pursuance of a peaceful policy in earlier years had

[1] Dutch Records at Surat, XIX The Directeur of Surat and Governor-Elect of Malabar, Christian Luis Seuff, left a note for his successor which ran as follows:—"Bombay continues to flourish more and more. The export is free, the merchants far from being oppressed are favoured and encouraged, and as that city is closer to the Deccan the trade with that country is transferred from Surat to Bombay. It struck me that this state of affairs continuing, it might be advisable for the Company to obtain a place near or about Bombay, where it would suit the Deccan merchants to trade and thus to draw them away from the English."

placed the island in a very strong position; and the intrigues of the French merely resulted in the adoption of measures for greater security. The confidence which now characterized the Bombay Council is shown in the despatch of an expedition to Persia in 1768. Since the destruction of Angria at Gheria they had been largely engaged in prosecuting the Company's commercial affairs at Gombroon and in the Persian Gulf and in fostering trade through Basra with the interior of Persia. In 1767 one of their ships, the *Defiance*, which was cruising in the Gulf, was blown up; and almost immediately afterwards the Bombay Council entered into an offensive alliance with Karim Khan, one of the local chiefs, against Carrack and Ormuz, and despatched ships, men and military stores to co-operate with him at the opening of the following year.[1]

The close of the preceding period, it will be remembered, was marked by the existence of friendly relations between Bombay and the Marathas, albeit the English were keenly alive to the possibilities of treachery and hostility on the part of these natural enemies. "All the States in India" writes Grant Duff "were inimical to Europeans of every nation, and even when bound down by treaties, they were at best but faithless friends, whose jealousy no less than their prejudice would have prompted them to extirpate the foreigners." Clive himself, at the time of the expedition against Angria, had clearly proved to Bombay that no reliance could be placed upon the *bonâ fides* of the Peshwa's representatives, and by 1764 the Council had decided once for all that exceptional prudence was necessary to prevent the undermining of the Company's position in Western India and the precipitation of hostilities. For the first few years of the period under review therefore the old policy of friendship was pursued, combined with orders, such as that of March 22nd, 1765, prohibiting the supply of arms, cannon and marine stores to any "country power."[2] In 1766 the Court of Directors, learning that Tulaji Angria's two sons had escaped from confinement in a Maratha

[1] Bombay Gazetteer Materials, Part I; Edwardes' Rise of Bombay

[2] Edwardes' Rise of Bombay. Bombay Gazetteer Materials, Part I.

fort and had fled to Bombay for protection, urged upon the Council the possibility of the Marathas taking umbrage at this event and the consequent advisability of dismissing the fugitives as early as possible; while in 1769 the dread of the influence of Hyder Ali led to the despatch of a fresh embassy to the Peshwa. In their letter of instructions to their envoy, the Bombay Government declared that the growing power of the Marathas was a subject much to be lamented, "and has not failed to attract our attention as well as that of the Presidencies of Madras and Bengal, inasmuch that nothing either in their power or ours would be omitted to check the same as much as possible." The envoy was to attempt to negotiate an alliance against Hyder. On the 29th November 1767 Mr. Mostyn reached "a pagoda called Ganeshkhind within one *kos* of Poona." He resided at the capital for three months and had many interviews with the Peshwa. "He was always treated with great courtesy by the Sovereign and Ministers, and many intricate negotiations were begun, but none were brought to any definite conclusion, because both parties were watching the tide of events."[1] The prohibition of the export of iron "which Bohras and others sent across the harbour for the service of the Marathas" was a further measure of precaution, dictated by the knowledge that before long we should have to meet the army of the enemy; while in 1771 the Board recorded their strong objection to the sale or export from Bombay of "Europe naval stores", on the grounds that they led to an increase of the Marathas' naval force, very much against the interest of the Company."

But from the year 1771, when Mr. William Hornby assumed the office of Governor of Bombay, the Company's policy suffered a radical alteration. The hour had arrived for Bombay to emerge as a military power; and dissensions among the Marathas themselves afforded the President and Council the opportunity of casting aside the rôle of a purely mercantile body and putting to the test the military and political capacity which for many

[1] Selections from State Papers. (1885) Maratha Series, xi-xii.

years they had been steadily perfecting.[1] On the death of the Peshwa Madhav Rao his uncle Raghunath Rao or Raghoba had usurped the throne, but had been subsequently driven out of Poona by a party which favoured the succession of a posthumous son of Madhav Rao. At this juncture the Bombay Council, under Mr. Hornby's direction, offered to assist Raghunath Rao to regain the *gadi* on condition that he would cede to them Broach, Jambusar and Olpad, Bassein and its dependencies, the island of Salsette and Karanja, Kenery, Elephanta and Hog islands in Bombay harbour. The Company had for some time coveted Salsette, Bassein and Karanja, knowing full well that possession of them would preclude other nations from access to the most commodious port in India and would secure the principal inlet to the Maratha country for woollens and other staples of England, the annual imports of which amounted at that date to some fourteen lakhs of rupees. They had previous to their proposals to Raghunath Rao, endeavoured to obtain these islands by diplomatic measures and had despatched a Resident to negotiate with the Peshwa at Poona; but the negotiations proved fruitless. The acquisition of the islands was eventually accelerated by a sudden movement on the part of the Portuguese. At the very moment when negotiations with Raghunath Rao were in progress news reached the Council that the Portuguese intended to take advantage of the discord which prevailed at Poona to seize Salsette and other places. "Had this event taken place," the Bombay Government wrote to the Governor-General and Council, "it would not only effectually have prevented us from ever acquiring Salsette for the Honourable Company, but the Portuguese would then again have had it in their power to obstruct our trade by being in possession of the principal passes to the inland country and to lay whatever imposition they pleased upon it, which in former times on every occasion they were so

[1] Bengal was declared to be the seat of the Governor-General in Council in 1773 by Act 13th Geo. III. Cap. 63, and Bombay and Madras were created Presidencies subject to Bengal. Eleven years later (1784) the administration of Bombay was vested in a Governor and three Councillors (Auber's Analysis, p. 380).

prone to do, which of course would have been of infinite prejudice to the trade, revenue and interests of the Company in these parts, in so much that we should in great measure have been subject to the caprice of the Portuguese."[1]

Under these circumstances the Bombay Council hastily signed a treaty of alliance with Raghunath Rao and commenced (1774) the 1st Maratha war by invading Salsette and laying siege to Thana. On the day the forces set out against Thana, the Portuguese fleet appeared off Bombay, and "the Commander, so soon as he gained intelligence of our proceedings, delivered a formal protest by direction, as he said, of the Captain-General of Goa, which shows the necessity of the measure we have pursued"; to which the Council replied in the following terms:—"As to the claims of your nation to the countries situated between Chaul and Daman, we are perfectly unacquainted with them. Though part of those countries did formerly belong to your nation, yet they were taken from you by the Marathas about seven and thirty years ago. During all the intervening time we have never understood that you ever made any attempt to recover them." After a long and wearisome march, "the distance from Sion to this place having been much misrepresented," our troops took possession of the town of Thana. The siege of the fortress was a more difficult task than was anticipated. Mr. John Watson, Superintendent of the Bombay Marine, and General Gordon, who were sent "to co-operate with each other for the good of the service," differed as to the method of reducing the fort; but the views of the latter eventually prevailed and the siege was commenced with the utmost vigour. During the operations a cannon ball came through an old wall near which Mr. Watson was standing, driving the dust into his eyes, while a stone struck him on the arm. The wound at first did not seem to be dangerous; but a few days later he had to leave Thana, and in the diary of the 26th December, 1774, we read:—"The body of the late

[1] For further particulars see Danvers' Report on Portuguese Records, pp. 108-10, and Edwardes' Rise of Bombay.

John Watson, Esquire, was interred this morning in the burying ground without the town (Sonapur), being attended by the principal inhabitants. Every public honour due on this occasion to his rank and merit was paid to his memory." It was also "unanimously resolved that a handsome monument be ordered to his memory in the Church with a suitable inscription on it at the Honourable Company's expense." On the 27th December an attempt was made to fill up the ditch; but, wrote the General, "the loss in killed and wounded was so great that I was obliged to order them to retreat before the passage across the ditch could be completed." Next day the fort was taken by assault, and "the slaughter was very great from the resentment of the soldiers from their former sufferings." [1]

Thana having fallen, the whole of Salsette and the smaller islands were occupied by Bombay troops; and on the 7th March 1775 the long-deferred treaty between Raghunath Rao and the Bombay Government was signed at Surat. Warren Hastings, the Governor-General, disapproved of the Bombay treaty and in 1776 signed a fresh treaty with the Maratha Government, which annulled all engagements with Raghunath Rao on condition that the English were not disturbed in the possession of Broach captured by assault in 1772), Salsette, Karanja, Elephanta and Hog islands. Bassein remained in the hands of the Marathas. This arrangement did not meet with Mr. Hornby's approval, and accordingly in 1778 he made a fresh treaty with Raghunath Rao, stipulating for the cession of Bassein and Kenery as well as the other islands, and promising to assist him with a force of 4,000 men.[2] For, as he wrote in one of his minutes, dated the 10th October, 1777, "Maratha affairs are fast verging to a period which must compel the English nation either to take some active and decisive part in them, or relinquish for ever all hopes of bettering their own situation in the

[1] Selections from State Papers (1885), p. xiii-xiv.

[2] In all these treaties the exclusion of the French from the Maratha territories was one of the stipulations, the Peshwa as well as the English Government being alarmed at Bussy's successes in the Deccan.

West of India." The Bengal Government was by this date better informed on this subject; and Warren Hastings, overruling the jealous impatience of the independent action of Bombay evinced by Mr. Francis and Sir Eyre Coote, sanctioned the new treaty with Raghunath Rao and despatched a force of six battalions of Bengal sepoys under Colonel Goddard across India to take part in the campaign. But the Bombay Government, without waiting for the arrival of this force, formed a separate expedition under Colonel Egerton, an officer "infirm in health and totally unacquainted with India" to place Raghunath Rao in power at Poona. The expedition, consisting of 3,900 men crossed Bombay harbour to Panvel in November 1778 and marched thence with many delays to Kampoli at the fort of the Bhor Ghat. Ascending the *ghat*, the force reached Khandalla on the 23rd December, and was formed into three divisions, which advanced alternately at the rate of about three-quarters of a mile daily. The Marathas, encouraged by this appearance of timidity, drew near and cut off communication with Bombay at Talegaon. Colonel Egerton and Mr. Carnac (a member of the Bombay Council, who had accompanied the force) then determined to retreat, and led the troops back to Wadgaon, where the Marathas attacked and inflicted a serious defeat upon them. This defeat led to the disgraceful convention of Wadgaon, whereby, in return for getting a free passage for their troops to Bombay, the English agreed to abandon the cause of Raghunath Rao and cede Broach and the islands about Bombay. Humiliating as this treaty was, its effects were to some extent counteracted by Goddard's successes against the army of Sindia and his capture of Ahmadabad in 1780, while the coveted islands were restored shortly afterwards (1782) by the Treaty of Salbai.[1]

The decade ending 1780 thus witnessed the debût of Bombay as a military power. The garrison was greatly strengthened on the advice of Lord Clive and General Lawrence, Cailland and Carnac and in view also of the

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[1] Maclean's Guide to Bombay; Edwardes' Rise of Bombay.

fact that Salsette and its outposts required the services of a considerable military force. The Fort and Castle were again surveyed and the fortifications improved under Colonel Keatinge's supervision. The outforts at Sion and Reva were rendered more impregnable, and Dongri fort, after some delay and doubt, was finally blown up in 1769, a new fortress called Fort St. George being commenced in the following year. Parsons, describing the island in 1775, remarked that "Between the two marine gates is the castle properly called Bombay Castle, a very large and strong fortification which commands the bay. The works round the town are so many and the bastions so very strong and judiciously situated, and the whole so defended with a broad and deep ditch, as to make a strong fortress, which while it has a sufficient garrison and provisions, may bid defiance to any force which may be brought against it." The construction of ships and the repair of the fleet were likewise actively prosecuted. In 1769 it was decided to build a new dock at Mazagon for the use of ships not exceeding 300 tons burden, and in 1781 a letter was received from Rear-Admiral Sir Edward Hughes, warmly acknowledging the assistance which the Marine Department had given in docking, repairing and refitting His Majesty's squadron.[1] Progress also characterized the Council's domestic administration. A regular ferry boat between Bombay and Thana was established in 1776; markets were built; estimates were prepared for town-drainage; the police force was reorganized; and in 1772 an accurate survey of the whole island was agreed upon, in order that "the situation of the farmed-out villages, namely, Malabar, Sion, Parel, Matunga, Dharavi, Naigaon, Vadala, Mahim and Bamancally and of all the Honourable Company's oarts and grounds may be exactly laid down, as well as those

[1] Sir Edward Hughes' fleet was at anchor in Bombay harbour in February, 1775, among the vessels of the fleet being the *Seahorse*, which carried Nelson, then a youth of 18 years. Nelson left England in this ship in 1773 and remained in the East Indies for 18 months. He firs saw "the light of Old Woman's Island near Bombay" at 2 a.m. on August 17th, 1774. (Douglas' Bombay and W. India.)

of all persons whatever." In other directions also the spirit of progress was manifested. The year 1773 witnessed Mr. Holford's successful journey up the Arabian Gulf, and the earliest voyage of English ships direct from Bombay to Suez; while three years earlier, during the governorship of William Hodges, Bombay commenced to trade in cotton with China, owing to "a considerable famine in that country and an edict of the Chinese government that a greater proportion of the lands should be thrown into the cultivation of grain." The demand for cotton continued to increase until the scanty supply during the Maratha war, the inattention to the quality, and the many frauds that had been practised, prompted the Chinese again to grow cotton for their own consumption.[1]

Meanwhile the aspect of the town was undergoing a gradual alteration. In 1770 the Kolis' houses on the summit of Dongri hill were removed; the dwellings of "hamals and other indigent people" between Church Gate and Bazaar Gate were demolished; and in 1772 an order was issued prohibiting any but Europeans to build south of Church Street, which obliged "the Moormen, oart-owners and others" to build new houses to the north of azaar Gate outside the walls. The Esplanade underwent considerable alteration, being levelled in 1772, extended" to the distance of 800 yards and cleared of all buildings and rising grounds" in 1779, and subsequently further extended to a distance of 1,000 yards. Barracks, officers' quarters and a *kanji*, *i.e.*, gruel or correction-house were erected on Old Woman's island, while the old powder-magazine between Church Gate and Apollo Gate, which had gradually spread to within 210 yards of the Stanhope Bastion, was relinquished in favour of new powder-works at Mazagon. Malabar Hill, which was at this date partly waste and partly utilized for grazing, was chiefly remarkable for a lofty tower near Walkeshwar, in which Raghunath Rao spent the period of his exile from Poona and whence he occasionally sallied forth to pass through the Holy Cleft (Shrigundi) at Malabar Point.

[1] Edwardes' Rise of Bombay.



APOLLO GATE. 1864.

Parel and Sion were being quarried for lime-stone; in Byculla an English officer of artillery had rented a certain area of waste-land for building purposes; while in 1768 the old Mazagon estate was divided up into plots which were leased to various individuals for a term of fourteen years. Perhaps the most remarkable alteration in the outward aspect of the island arose from the construction of the Hornby Vellard (*i.e*, Portuguese *Vallado*, a fence) between 1771 and 1784.[1] An attempt had been made in earlier years to check the inroad of the sea; but the dam then constructed was hardly strong enough. Accordingly during William Hornby's governorship the Vellard was built, which rendered available for cultivation and settlement the wide area of the flats and resulted in welding the eastern and western shores of the Island into one united area.

A general description of Bombay at this date (1775) is given both by Parsons the traveller and by Forbes, the author of the "Oriental Memoirs." The former remarks that "The town of Bombay is near a mile in length from Apollo Gate to that of the Bazaar, and about a quarter of a mile broad in the broadest part from the Bunda (Bandar) across the Green to Church Gate, which is nearly in the centre as you walk round the walls between Apollo and Bazaar Gates. There are likewise two marine gates, with a commodious wharf and cranes built out from each gate, beside a landing-place for passengers

[1] Maclean (Guide to Bombay) records an amusing anecdote about the Vellard. Hornby (who appears to have possessed unusual energy and determination), perceiving that the first step towards improving the sanitary condition of Bombay was to shut out the sea at Breach Candy, fought hard throughout his term of office to obtain from the Court of Directors permission to execute this work at the cost of about a lakh of rupees. The Directors steadily refused to sanction such extravagance. At last Hornby, having only 18 months more to serve, commenced the work without sanction, knowing full well that he could finish it before the Directors could possibly interfere. Accordingly, about the time the Vellard was finished, Hornby, opening with his own hand the despatches found an order for his suspension, which, his term of office being nearly expired, he put in his pocket, until he had finally handed over charge to his successor. The Court of Directors were excessively irate and sent out an order that the Governor should never open the despatches in future, but that they should be first perused by one of the Secretaries to Government.

only. Between the two marine gates is the castle, properly called Bombay Castle, a very large and strong fortification which commands the bay * * * * * . Here is a spacious Green, capable of containing several regiments exercising at the same time. The streets are well laid out and the buildings so numerous and handsome as to make it an elegant town. The soil is a sand, mixed with small gravel, which makes it always so clean, even in the rainy season, that a man may walk all over the town within half an hour after a heavy shower without dirtying his shoes. The Esplanade is very extensive and as smooth and even as a bowling-green, which makes either walking or riding round the Town very pleasant." Forbes was of opinion that the generality of the public buildings at this epoch were more useful than elegant. "The Government House" he writes "custom-house, marine house, barracks, mint, treasury, theatre and prison included the chief of these structures. There were also three large hospitals, one within the gates for Europeans, another on the Esplanade for the sepoys, and a third on an adjacent island for convalescents. The only Protestant Church on the island stood near the centre of the town, a large and commodious building with a neat tower. There was also a charity-school for boys and a fund for the poor belonging to the Church of England. There were seldom more than two chaplains belonging to the Bombay establishment. When I was in India (1766-84) the one resided at the Presidency, the other alternately at Surat and Broach, where were considerable European garrisons. The Roman Catholics had several churches and chapels in different parts of the Island and enjoyed every indulgence from the English government. The English houses at Bombay, though neither so large nor elegant as those at Calcutta and Madras, were comfortable and well furnished. They were built in the European style of architecture as much as the climate would admit of, but lost something of that appearance by the addition of verandahs or covered piazzas to shade those apartments most exposed to the sun. When illuminated and filled with social parties in the evening, these verandahs gave the town a very cheerful appear-

ance. The houses of the rich Hindus and Mahammadans are generally built within an enclosure surrounded by galleries or verandahs not only for privacy but to exclude the sun from the apartments. This court is frequently adorned with shrubs and flowers and a fountain playing before the principal room where the master receives his guests, which is open in front to the garden and furnished with carpets and cushions. The large bazaar or the street in the Black Town within the fortress contained many good Asiatic houses and shops stored with merchandise from all parts of the world for the Europeans and Natives. These shops were generally kept by the Indians, especially the Parsis who after paying the established import customs were exempted from other duties."

The events which preceded the treaty of Salbai in 1782 were briefly as follows :—In 1781 Mr. Hornby, with the full concurrence of the Bengal government, decided that military operations against the Marathas must be carried on at all costs, in spite of the fact that the Bombay coffers had been seriously drained. Accordingly Kalyan was seized and General Goddard was ordered to besiege Bassein. "The European part of his army was sent down to Salsette by sea, the battering-train was prepared in Bombay, and the sepoys were to march by land. Early in October the whole of the disposable force at Bombay and in the neighbourhoods, consisting of five battalions, was placed under the command of Lieutenant-Colonel Hartley, who was instructed to drive out the enemy's posts and cover as much of the Konkan as possible, so as to enable the agents of the Bombay Government to collect a part of the revenues and secure the rice harvest, which is gathered at the close of the rains. There is perhaps no part of Mr. Hornby's minute more expressive of the distress under which the Government laboured than that where, alluding to the field forces they were preparing, he observes 'our troops will better bear running in arrears when employed on active service and subsisting in the enemy's country'; for it is a principle with the British Government and its officers in India than which nothing has more tended to the national

success, always to consider the peasantry under their strictest protection." After a spirited action, whereby the enemy were for a time driven out of the Konkan, Hartley was enabled to cover so successfully the siege of Bassein that the city capitulated on the 11th December 1781.[1]

Meanwhile Hyder Ali of Mysore had been endeavouring to form a confederacy of all the Native Powers of India against the English, and the Governor-General therefore decided to make peace with the Marathas and utilize against Hyder the forces which were engaged against the former. General Goddard was accordingly directed to offer terms to the Court at Poona, while Sindia was vigorously attacked in his own dominions by another division under Colonel Carnac. Of Goddard's advance to the foot of the Bhor Ghat and his disastrous retreat to Panvel, "with a heavy loss of 466 in killed and wounded, of whom eighteen were European officers" it is needless to speak at length; for hostilities were eventually closed by the Treaty of Salbai in 1782, whereby Bombay at last gained permanent possession of Salsette, Elephanta, Karanja and Hog islands, but gave back Bassein and all conquests in Gujarat to the Peshwa and made Broach over to Sindia. The Marathas on their side agreed to ally themselves with the English against Mysore, and the Peshwa pledged himself to hold no intercourse with Europeans of any other nation. The cause of Raghunath Rao was definitely abandoned by the English and he became a prisoner of the Peshwa. "The treaty was a good stroke of imperial policy" writes Maclean; "for it set the English free to deal separately with Hyder Ali; but in spite of some brilliant feats of arms in Gujarat, the Konkan and Central India, it cannot be said that the reputation of the British arms had been raised by a war in which they had suffered two such reverses as the capitulation of Wadgaon and the retreat of General Goddard."

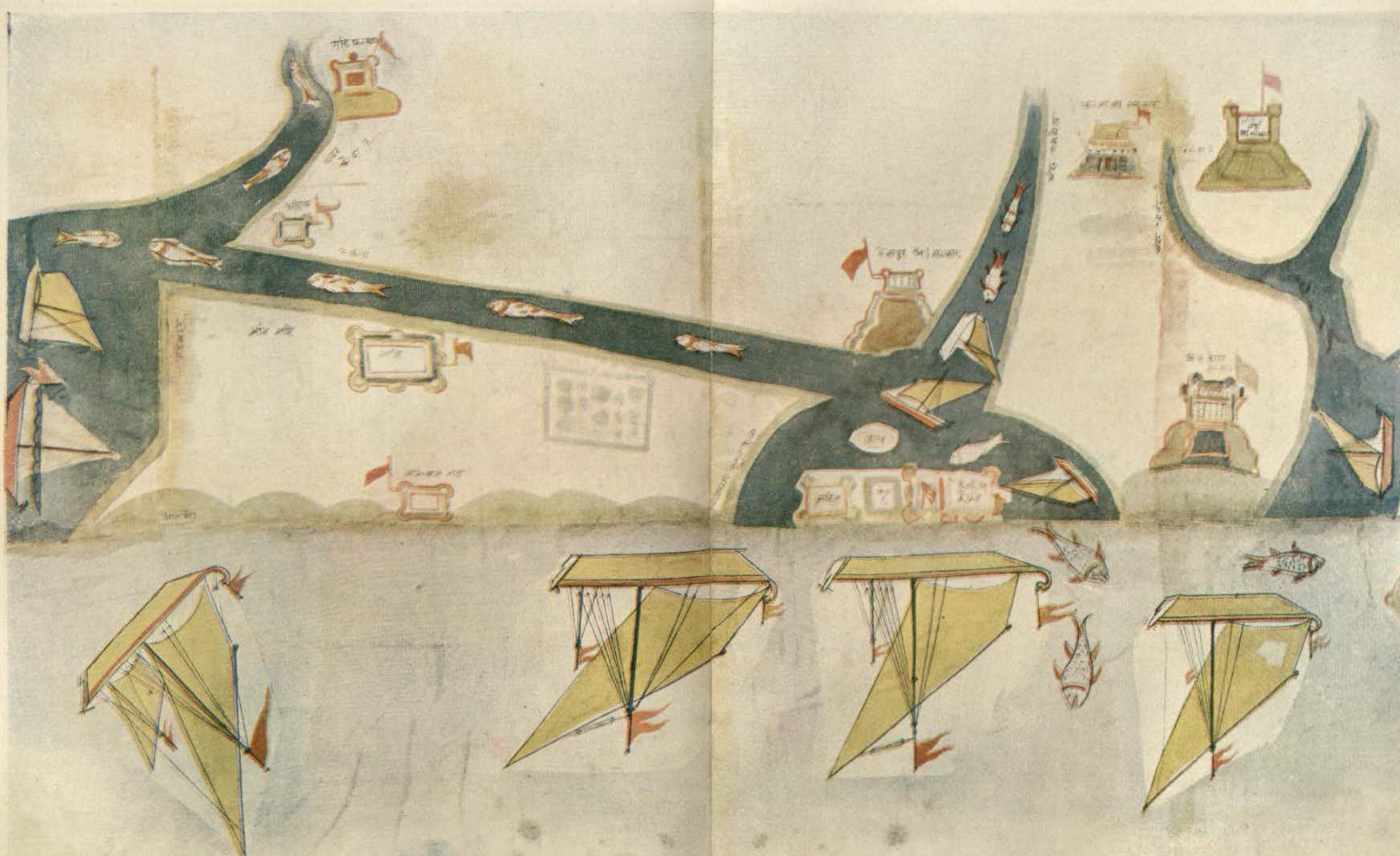
On the 1st January 1784 William Hornby handed over charge of the Governorship to Mr. Boddam and embark-

[1] This account is taken direct from Maclean's Guide to Bombay.

ed for Europe; and from that date up to 1802 open hostilities between Bombay and the Marathas were held in abeyance. But the internal affairs of their kingdom were in the interval leading to a crisis, which resulted in the Treaty of Bassein and the campaign of Assaye. "The main object of the policy of Lord Wellesley, who succeeded Sir John Shore as Governor-General in 1798, was to drive the French out of India. To attain this end, he compelled the Nizam to accept a British subsidiary force in lieu of a French contingent, crushed Tipu Sultan, and used all his means of persuasion to induce the Peshwa and Sindia to become subsidized allies of the British Government. Nana Phadnavis, the Maratha Machiavel who for the last quarter of the 18th century was the principal political personage at the court of Poona, always steadfastly opposed the admission of the English into the Deccan; and even when Madhaji Sindia marched to Poona with the design of upsetting the authority of the Brahmans and becoming master of the Deccan, Nana did not ask for the fatal aid of English troops to secure himself in power. Madhaji died at Poona at the moment when his ambition seemed on the point of being fully gratified; and Daulat Rao who succeeded him in 1794 had not the capacity to carry out his plans. The influence of Sindia's military power remained however supreme in the Deccan. The young Peshwa Madhav Rao, in a fit of despondency at being kept in a state of tutelage by Nana Phadnavis and forbidden to recognize his cousin Baji Rao, son of Raghoba, threw himself from his palace window and died from the effects of the fall, and Baji Rao, obtaining the support of Sindia, was proclaimed Peshwa to the temporary discomfiture of Nana Phadnavis, who however subsequently had the address to reconcile himself with Baji Rao and Sindia, and to regain the office of minister, which he held till his death in 1800. The Governor-General tried to persuade Sindia to return from Poona in order to defend his dominions in the north-west against the Afghans, but instead of listening to this advice, Sindia and the Peshwa meditated joining Tipu against the English, and were only disconcerted by the rapidity and completeness of

the English success. The weakness of the Peshwa's government and the natural disinclination of the predatory Marathas to abandon the pleasant habit of plundering their neighbours caused the greatest disorders throughout the Maratha country, and every petty chief with a band of armed followers made war and raised revenue on his own account. In Poona itself lawless excesses of all kinds were committed, and the Peshwa and Sindia were both at the mercy of a turbulent and rapacious soldiery. In 1801 a new power appeared on the scene. The Holkar family had for many years been kept in check by Sindia; but Jasvantrao Holkar, the most celebrated of all the Maratha freebooters, succeeded in getting together an army strong both in cavalry and in disciplined infantry and artillery. Marching on Poona in 1802 he won a complete victory over Sindia in a desperately contested battle; and the pusillanimous Peshwa, who had not appeared on the field, fled first to the fort of Singhur and thence to Revadanda on the coast, where he found an English ship to take him to Bassein."

This crisis appeared to Lord Wellesley "to afford a most favourable opportunity for the complete establishment of the interests of the British power in the Maratha Empire." Hence negotiations were set on foot, which resulted in the Treaty of Bassein being signed by Baji Rao on the 31st December, 1802. By that treaty he bound himself to accept a subsidiary force of 6000 men and to assign territory worth £-60,000 a year for their pay, to give up his claims on Surat, to accept the Company as arbiter in the disputes of the Peshwa with the Gaekwar, to admit no Europeans into his service, and not to negotiate with any other power whatever without giving notice and consulting with the Company's government. In return the Company undertook to replace him on the *masnad* at Poona, and did so on the 13th May 1803, an action which resulted in the campaign of Assaye, Argaon and Laswari against Sindia and the Raja of Berar. The Bombay forces were employed during the campaign in successfully reducing the fort and district of Broach and the possessions of Sindia in Gujarat and to



(*From a private collection.*)

Map of Bombay and District prepared for the Peshwa by the Peshwa's Agent in Bombay about 1770.

the southward of the Narbada.[1] The war of 1803 was followed by war with Holkar in 1804, which was finally concluded by the peace of 1805. During the eleven years which followed the Bombay Government preserved a hollow peace with the Maratha power.

Before proceeding to record the final scene in the struggle with the Peshwa, it were well to briefly record the success attained by the Bombay Government in other parts of India. In 1781, during the Mysore war, they despatched an expedition under Colonel Humberstone, which took Calicut and Ponani, and in the following year they supplied reinforcements which captured Honavar, Mangalore, Kundapur, Karwar, and all the strong places on the coast of the district of Kanara. Again in 1799 Bombay lent the Government of India a helping hand against Tipu Sultan, and to such good purpose that the Marquis Wellesley, then Governor-General, expressed in the warmest terms to Mr. Jonathan Duncan, Governor of Bombay, his appreciation of the work of the Bombay contingent, declaring that "the merits of Generals Stuart and Hartley, as well as of Colonel Montresor and other officers, have seldom been equalled and never surpassed in India." In reply to an address from the inhabitants of Bombay on the termination of the war Lord Wellesley wrote :—"The distinguished part which the settlement of Bombay has borne during the late crisis in the labours and honours of the common cause, has repeatedly claimed my warm approbation, and will ever be remembered by me with gratitude and respect. In your liberal and voluntary contribution towards the exigencies of your native country [2], and towards the defence of the Presidency under whose Government you reside, and in the alacrity with which you have given your personal services for the

[1] For the campaign of 1803 Mr. Jonathan Duncan, Governor of Bombay (1795-1811), was authorized to convert into a regular regiment, the 9th N.I., the corps of Fencibles which had been raised in 1799 to help in crushing Tipu Sultan. The corps in that year was 1,000 strong, and 50 of these were equipped and paid by Forbes, the author of *Oriental Memoirs*.

[2] The citizens of Bombay subscribed 3 lakhs towards the cost of the war with France and raised a regiment for service in Mysore.

military protection of Bombay, I have contemplated with pleasure the same character of public spirit, resolution and activity, which has marked the splendid successes of the army of Bombay from the commencement to the close of the late glorious campaign." Other noteworthy events which marked Bombay's increasing military importance were the despatch of an expedition in 1799 to occupy the island of Perim and initiate political relations with the Arab Chief of Aden, the equipment of an expedition to Egypt under Sir David Baird in 1801, when "the troops embarked in five days after the requisition was made for them and the whole business was conducted with regularity and rapidity," and thirdly the operations against the pirates of the western coast. In spite of Angria's disappearance piracy was still carried on by Maratha cruisers which issued from Malwan and Savantvadi, while to the north of Bombay no serious attempt had yet been made to harry the nests of pirates who had sheltered from time immemorial in the creeks and islands along the coasts of Gujarat, Cutch and Kathiawar. During this period Bombay bestirred herself to rid the western seas for ever of the sea-rovers, who had plundered the shipping ever since the days of Ptolemy and Marco Polo and had given the name of "Pirates' Isle" to sacred Bet. In 1807 the Kathiawar States were taken under British protection; in 1809 Colonel Walker, the Political Agent, induced the Rao of Cutch to sign a treaty binding himself to co-operate with the British Government in the suppression of piracy, while in 1812 treaties were made with Kolhapur and Savantvadi, whereby the sovereignty of Malwan and Vingurla was ceded to the English and all vessels found equipped for war were given up.

By 1805, therefore, Bombay had attained a very strong political position. The marine had established its supremacy along the Malabar coast; the Bankot district had become British territory; and in Gujarat the authority of the Gaekwar was practically wielded by servants of the English Government. The year 1800 witnessed the transfer to the Company of the whole administration and revenue of Surat, whose ruler received in ex-

change a pension. Finally the peace of 1805 left Bombay in possession of political authority almost co-extensive, if we exclude the province of Sind, with that which she now enjoys. She supplied subsidiary forces to the Gaekwar of Baroda and the Peshwa and garrisoned the Portuguese city of Goa, occupied by English troops during the continuance of the French war. She could despatch expeditions to foreign lands and successfully guard her own territory against attack, for "English policy and arms had successively subdued all the native powers and reduced to mere ciphers those of them that still retained a nominal independence."

This expansion of Bombay's sphere of influence was reflected in the strengthening of the administration. In 1785 a Marine Board was created and a Comptroller of Marine was appointed in the following year; a Marine Survey was established; and in 1785 the business of government was divided among a Board of Council, a Military Board, a Board of Revenue and a Board of Trade. "Our President and Council" wrote the Directors "will still continue to act in their double capacity of Public and Secret," and then proceeded to lay down the constitution of the Military Board and the Board of Trade, adding that all subsequent despatches will be addressed to the Bombay Government in its Public, Secret, Military, Revenue and Commercial departments.[1] Four years later the Political department was instituted as also "the post of Private Secretary to the Governor's Office," carrying a salary of Rs. 500 a month. In 1798 the Recorder's Court was founded in supersession of the old Mayor's Court,[2] and in the same year the first Justices of the Peace were appointed. In 1793 the Governor and Mem-

[1] Director's letter. Sept. 1785. The Bombay Civil Service in 1798 consisted of 2 members of Council, 37 senior Merchants, 21 junior Merchants, 8 Factors, 20 Writers graded and 15 Writers ungraded. Four permanent Committees were in being in that year, *viz.*, a Treasury Committee, Building Committee, Warehouse Committee and Marine Work Committee. A list of members of the Bombay Council from 1784 is given at the end of the chapter.

[2] In 1800 the Recorder's Court was accommodated in the main portion of Mr. Hornby's house in Marine Street, now the Great Western Hotel, a small portion being utilized as a store-room for the Admiralty furniture. Up to the opening of the nineteenth century, the building had been i ed as an Admiralty House.

bers of Council were the only Justices of the Peace and in 1796 sat in a Court of Quarter Sessions, inviting two of the inhabitants to sit with them. This system continued until 1798 when the Sessions of Oyer and Terminer were transferred to the Recorder's Court. In 1807 the Governor and Council were empowered by Act 47, George III, to issue commissions appointing as many of the Company's servants or other British inhabitants as they should consider qualified to act as Justices of the Peace, under the seal of the Recorder's Court. The first commission was issued in 1808, and a Bench of twelve Justices was appointed whose principal duties were to attend to the proper cleaning and repairing and watching of the town, to raise money for this purpose by assessment and to grant licenses for spirituous liquors. Among other noteworthy events was the establishment of regular postal communication with Madras in 1787.[1]

Meanwhile the town had been expanding with great rapidity. In 1787 encroachments within the walls had become so numerous that a Special Committee, composed of the Land Paymaster, the Collector and the Chief Engineer, was appointed to examine the private buildings which natives were erecting and decide how far they might prove prejudicial to public works and the general health of the inhabitants. The Committee made various suggestions for improvement, which might have taken years to carry out had not the great fire of the 17th February 1803 indirectly aided their plans. How the fire originated was never definitely known ; but, to quote the words of the Honourable Jonathan Duncan in a letter to the Court of Directors, "so great and violent was the conflagration that at sunset the destruction of every house in the Fort was apprehended. The flames directed their course in a south-easterly direction from that part of the Bazaar opposite to the Cumberland Ravelin quite down to the King's Barracks. During the whole of the day every effort was used to oppose its progress, but the

[1] This was during the Governorship of General Sir William Medows, K. B., after whom Medows Street is named. He occupied the quarters assigned to the then Commanders-in-chief, namely a large house at the corner of Medows Street. (Times of India, January 13th, 1873.)

fierceness of the fire driven rapidly on by the wind baffled all attempts ; nor did it visibly abate till nearly a third part of the town within the walls had been consumed.' Altogether 471 houses, 6 "places of worship" and 5 barracks (the tank barracks) were destroyed. The last embers were hardly extinguished before the Bombay Government was initiating improvements, and endeavouring to persuade the people to rebuild their houses outside the walls of the Fort. In writing to the Town Committee they expressed a hope that that body would be able "to convince the natives in question of the unadvisablesness of their residing in a garrison crowded with lofty structures, filled with goods and merchandise and intersected by such narrow streets as existed before the late fire ; and that from the conviction forced on their minds by the late sad calamity they will willingly concur in the expediency of their dwelling houses and families being without the Fort, where they ought to be sensible that under the advantage of our insular situation both will be in perfect security." To further this object the Bombay Government chose a new site outside the walls for the import and traffic in oil, dammer, *ghi* and other inflammable substances, and authorized the Committee to grant compensation to those persons who were willing to relinquish their sites in the Fort and rebuild their houses on less valuable plots outsids the walls. The permanent advantages arising out of the conflagration were remarked by Milburn [1] who gave the following description of the town between 1803 and 1808 :—"Between the two marine gates is the castle called Bombay Castle, a regular quadrangle, well built of strong hard stones. In one of the bastions is a large tank or reservoir for water. The fortifications are numerous, particularly towards the sea, and are so well constructed, the whole being encompassed by a broad and deep ditch, which can be flooded at pleasure, that it is now one of the strongest places the Company have in India. Besides the castle are several forts and redoubts, the principal of which is Mahim situated at the opposite extremity of the Island, so that properly garrisoned Bombay may bid defiance to

[1] Milburn's Oriental Commerce.

any force that can be brought against it. In the centre of the town is a large open space called the Green which in the fine weather season is covered with bales of cotton and other merchandize, entirely unprotected; around the Green are many large well-built and handsome houses; the Government House and the Church, which is an extremely neat, commodious and airy building are close to each other on the left of the Church Gate. On the right of the Church Gate is the Bazaar, which is very crowded and populous and where the native merchants principally reside. At its commencement stands the theatre, a neat handsome structure. This part of the town suffered much by a destructive fire, which broke out in February 1803 and destroyed nearly three-fourths of the Bazaar, together with the barracks, custom-house and many other public buildings, and property of immense value belonging to the Native merchants. Many houses in the neighbourhood of the castle were battered down by the Artillery, to stop the progress of the flames and preserve the magazine, or in all probability the whole town would have been destroyed. Since the fire of 1803 this part of the town has been rebuilt and the whole much improved, at a considerable expense to the Company." The two most important works carried out by the Company outside the town walls were the Sion Causeway which was commenced in 1798 and completed in 1803[1] and the Common Gaol at Umarkhadi, built in 1804[2].

The opening of the nineteenth century was marked by the presence in Bombay of several distinguished men. Major-General Wellesley, afterwards Lord Wellington, was resident here during March and April 1801 in connection with Sir D. Baird's expedition to Egypt and again from March to May 1804, after the battle of Assaye.[3]

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1 Edwardes' Rise of Bombay, p. 231.

2 *Ibid*, p. 232.

3 The Duke of Wellington resided at a house called Surrey Cottage, about half way up the now non-existent eastern brow of Malabar Hill. The brow was subsequently cut away to provide filling for the Back Bay reclamation. The house comprised a somewhat spacious and lofty hall, with wings and long verandahs at the sides and back. In front was a porch to which led two carriage drives from different directions of the large compound. The stable stood close to the present Siri road. The hall com-



VIEW FROM CATHEDRAL TOWER. 1864.

The Honourable Jonathan Duncan was resident in the old Government House in the Fort from 1795 till his death in 1811,[1] and took a leading part in the public thanksgiving of Bombay citizens in November 1800 for His Majesty George III.'s escape from assassination, the celebration of His Majesty's birthday on the 4th June 1801,[2] and the Jubilee celebrations in 1810.[3] Viscount Valentia was banquetted by Ardeshir Dady, one of the Principal Parsi inhabitants, in November 1804; [4] and in May of the same year Sir James Mackintosh, who succeeded Sir W. Syer, the first Recorder, arrived in Bombay.

Sir James Mackintosh's arrival synchronized approximately with a very severe famine in the Konkan, occasioned by the failure of the rains of 1803. The part played by the Bombay Government during the crisis is alluded to by Forbes [5] in the following words :—" What infinite

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manded a nice view of Back Bay and a portion of Girgaum, also the Esplanade and Fort (Douglas' Bombay and W. India II. 13). See also description of the house in the Bombay Times, 1856, quoted in Edwardes' Rise of Bombay.

[1] Duncan lent Government House, Parel, for sometime to Sir James Mackintosh. who described the Governor in the following terms :—" He is an ingenious, intelligent man, not without capacity and disposition to speculate. Four and thirty years' residence in this country have Brahminised his mind and body. He is good natured, inclined towards good, and indisposed to violence, but rather submissive to those who are otherwise." Memoirs of Sir J. Mackintosh.

[2] Bombay Courier, 6th June 1801. " Early in the morning the troops paraded under command of Colonel Carnac. At 6 a.m. the Governor, accompanied by Sir W. Syer, General Nicholson, the Secretary, the General's staff, all the officers off duty and the gentlemen in the Civil Service attended the parade, when His Majesty's order of November 5, 1800, settling the Royal Style and Titles was read by the Secretary on horseback and uncovered. The former Union Flag which had been hoisted on the flag staff in the castle at sunrise was then hauled down, and the new emblem of the puissance of the British Empire substituted in its place, under a royal salute from Hornby's battery, during which the troops remained with presented arms, the drums beating and the music playing God Save the King. After the ceremony all the officers and a large party of ladies and gentlemen breakfasted at Government House. At noon the garrison fired the usual salute and the shipping at one o'clock. In the evening His Majesty's and the Honourable Company's officers and the gentlemen of the settlement were entertained with a sumptuous dinner by the Hon'ble the Governor. The day closed with a ball and supper. "

[3] On this occasion Jonathan Duncan gave a great fete at

advantage, what incalculable benefits must accrue from a wise and liberal administration over those extensive realms which now form part of the British Empire, is not for me to discuss. What immense good was done by the wise policy of the Bombay Government alone during a late famine we learn from the address of Sir James Mackintosh to the Grand Jury of that island in 1804. No other language than his own can be adopted on this interesting subject. * * * * * The upright and able Magistrate, after descanting upon famine in general, enters into particulars of that in the Konkan, occasioned by a partial failure of the periodical rains in 1802 and from a complete failure in 1803, from whence, he says, a famine has arisen in the adjoining provinces of India, especially in the Maratha territories, which I shall not attempt to describe and which I believe no man can truly represent to the European public without the hazard of being charged with extravagant and incredible fiction. Some of you have seen its ravages. All of you have heard accounts of them from accurate observers. I have only seen the fugitives who have fled before it and have found an asylum in this island. But even I have seen enough to be convinced that it is difficult to overcharge a picture of Indian desolation. I shall now state from authentic documents what has been done to save these territories from the miserable condition of the neighbouring country. From the 1st September 1803 to the present time (October, 1804) there have been imported or purchased by Government 414,000 bags of rice and there remain 180,000 bags contracted for, which are yet to arrive. * * * * The effects of this importation on the population of our territories, it is not very difficult to estimate. The population of Bombay, Salsette, Karanja and the city of Surat I designedly underestimate at 400,000. I am entitled to presume that if they had continued subject to Native Governments, they would have shared the fate of the neighbouring provinces which still are so subject. I shall not be suspected of any tendency towards exaggeration by any man who is acquainted with the state of the opposite continent, when I say that in such a case an eighth of that population

must have perished. Fifty thousand human beings have therefore been saved from death in its most miserable form by the existence of a British Government in this island. * * * * * * * * * . The next particular which I have to state relates to those unhappy refugees, who have found their way into our territory. From the month of March to the present month of October, such of them as could labour have been employed in useful public works and have been fed by Government. The monthly average of these persons since March is 9,125 in Bombay, 3,162 in Salsette, and in Surat a considerable number. * * * *. Upon the whole I am sure that I considerably understate the fact in saying that the British government in this island has saved the lives of 100,000 persons, and what is more important that it has prevented the greater part of the misery through which they must have passed before they found refuge in death, besides the misery of all those who loved them or who depended on their care."

It is now time to revert to the course of affairs in the Deccan. Up to 1817 Baji Rao remained ostensibly an ally of the English, who had restored him to his throne in 1803. But, as Maclean has pointed out, a prince who is called independent, but who knows that his authority depends on the good-will of a Political Resident and a body of foreign troops must be endowed with rare magnanimity if he does not both oppress his own subjects and chafe under the limitations placed on his sovereign power to make war and conclude treaties with other States. The consciousness that he is protected by a force strong enough to keep him on his throne in spite of all the efforts of discontented subjects removes the only curb—the dread of rebellion—which restrains an unprincipled despot from gratifying to the utmost the evil passions of cruelty, lust and covetousness; while at the same time a restored tyrant in nine cases out of ten resents his obligations to the foreigners who have given him back his kingdom, feeling that he is but a puppet in their hands when they keep him from indulging his ambition in warlike enterprises and bid him be content to stay at home and be absolute master of the lives and fortunes of

his own people. The thirteen years which elapsed from the date of Baji Rao's restoration to his open declaration of hostilities are replete with instances of the grossest tyranny against his own people, and at the same time of treacherous intrigue against his European defenders. Neglect of the civil administration, accumulation of personal gain by sequestration and extortion led to considerable unrest and rendered his sway abhorrent to the inhabitants of his kingdom. His rooted hostility to the English provoked him to stultify a guarantee of safety which the latter had granted to the Gaekwar's agent, Gangadhar Shastri, who visited Poona in 1815 for the purpose of settling certain claims preferred against his master by the Peshwa. The agent was treacherously murdered by Trimbakji Danglia, the Peshwa's infamous minister, who was subsequently handed over to the British Resident, Mountstuart Elphinstone, and imprisoned at Thana. Thence he escaped in 1816, and finding his way back to Poona persuaded the Peshwa to ally himself with the Pindaris, and with Sindia, Holkar and the Raja of Berar in a confederacy to overthrow the British power. The hesitation which formed a considerable element in the Peshwa's character, prevented his joining issue with the English for some days; and the latter profited by the respite to obtain reinforcements from Bombay, which covered the whole distance from Panvel to Poona with only one halt and arrived in the Deccan capital on the 30th October, 1817. On the 5th November was fought the Battle of Kirkee, which sealed the doom of Maratha misrule. An army of 18,000 horse and 8,000 foot was powerless to save his kingdom for Baji Rao, who from the hills overlooking the plain of Kirkee watched his ranks shiver and break. Accompanied by a small band of personal attendants the Peshwa escaped and passed the next few months in concealment, to avoid arrest by the English, who overran the Deccan and Southern Maratha Country. Eventually on discovering that his last chance of effecting anything against the English had passed away, he surrendered himself to Sir John Malcolm and renouncing for himself and his family all claims to sovereignty was permitted to retire on the enormous

pension of £80,000 a year to Bithur on the Ganges, where he doubtless instilled into the mind of his adopted son, Nana Saheb, that hatred of the British which bore such terrible fruit in 1857. With the exception of a tract reserved for the imprisoned Raja of Satara, Kolhapur, Savantvadi and Angria's possessions in Kolaba, the whole of the Peshwa's dominions were annexed to the Company's territory in 1818 and the Bombay Government settled down to the task of peaceful administration, which has subsisted unchecked to the present day.

The year 1819 witnessed the final extinction of piracy on the western coast of India. The arrangements made to undermine their power in 1807, 1809 and 1812 led naturally to disorder and insurrection among the turbulent classes of the population ; and the final blow was not given to the pirates of Kathiawar till 1819 when a British force under Colonel Stanhope escaladed Dwarka and put the whole garrison, who refused to ask for quarter, to the sword. This action sounded the knell of organised piracy in Western India ; the last of the rover galleys, "a goodly and imposing looking vessel having a lofty poop and beaked rostrum" was seen by Colonel Tod lying high and dry upon the shore, and Bet, the robbers' isle, bade adieu to her chieftain, who preferred the prospect of peace and a pension from the Bombay Government to the chance of amassing more wealth by acts of violence on the high seas.

Before closing the history of these years, we may draw attention to the "Rule, Ordinance and Regulation for the good order and civil government of Bombay," which was passed in Council on the 25th March 1812. The regulation provided for the appointment of two magistrates of police, the senior of whom exercised authority over the Fort and harbour and the junior over the remainder of the island : it provided for the institution of a court of petty sessions, composed of the two magistrates above mentioned and a justice of the peace ; and for the appointment of European constables ; it provided for the removal of encroachments, the safeguarding of wells, the registration of hired vehicles (hackereys), the

prevention of nuisances, the regulation of dangerous trades, the registration of drinking and gambling houses, the carrying of weapons, the sale of poisons, the prevention of false coining, the regulation of religious rites and processions, the registration of the population and the maintenance of annual mortality and birth registers, and the emancipation of imported slaves. This was followed by Regulation III of the 4th November 1812, which laid down building rules and the lines of set-backs both within the Fort and upon the principal roads outside it, and dealt generally with matters now falling within the scope of the Municipal Act.

About the same date the trade of the island commenced to exhibit distinct signs of progress. Up to the year 1813, the East India Company retained exclusive possession of all trade, private individuals being allowed to indulge in commerce only with the Company's license. "Private enterprise," writes Maclean, "had little or no chance in Bombay at a time when the Company and its servants had the pick of the trade, and Milburn gives the names of only nine independent European firms. The commanders and officers of the Company's ships employed Parsi *dubashes* or agents to manage their investments. The tonnage of the merchant ships in 1811 was 17,593 tons, some of the ships carrying 1,000 tons, and the largest class could take a cargo of 4,000 bales of cotton. There was only one insurance office, the Bombay Insurance Society, with a capital of 20 lakhs, but much underwriting was done by private persons." These conditions were, however, radically altered in 1813 by the passing of Lord Melville's bill which abolished the exclusive trade of the Company with India, but secured to it for twenty years longer the monopoly of the trade with China, the latter exception being introduced because the Ministry were afraid of losing the revenue derived from duties on tea. The removal of old privileges gave immense encouragement to the trade of Bombay; and this circumstance, combined with the Company's military successes in the Deccan, paved the way for the social, political and economical progress which characterized the island during the nineteenth century.

The annexation of the Deccan, which followed upon the battle of Kirkee and the dethronement of the Peshwa, was one of the three great events which contributed to the making of the modern city of Bombay. Free and uninterrupted trade between our port and the mainland, which had suffered greatly in the past from the jealous restrictions of the Maratha government, was thereby assured ; the milder sway of the English in the Deccan permitted more regular intercourse between the inhabitants of that area and the people of the coast. "The dynasty of the Peshwas" writes Maclean "existed for only seventy years, and its decay was so rapid that if the English had not dethroned Baji Rao the Arab mercenaries whom the Marathas had hired to fight for them would soon have founded kingdoms of their own in India. So extreme was the misrule—justice being denied to every one who could not use force to obtain it, while cultivators and citizens alike were ground down to the dust by ever-increasing taxation—that only the Court favourites and military chiefs and adventurers regretted the change of Government. Even the soldiers' pay was in arrears, and many of Baji Rao's troops entered the service of the British government within thirty-six hours after the proclamation of the Peshwa's dethronement. But while the rise of the English power must be ascribed in some degree to the radical incapacity of Hindus to do any work, which they undertake thoroughly and completely, and to the more systematic and strenuous character of western civilization, it should never be forgotton that the conquest of India is really the fruit of the incomparable fighting qualities of the British soldier."[1] The year 1817 thus witnessed the final emancipation of Bombay from all fear of attack by Native powers. For a century and a half she had followed a policy which enabled her to gradually strengthen her own hand and deal one by one with surrounding foes until the last and most powerful of all fled from his capital and relinquished his downtrodden subjects to her mercy and protection.

[1] Maclean's Guide to Bombay.

1820-

By good fortune the affairs of Bombay were entrusted to a man of the highest genius at the very moment when supreme prudence and statecraft were required to repair the damages arising from centuries of desultory warfare. The Honourable Mountstuart Elphinstone who was appointed Governor in 1819 fostered so vigorously the expansion of trade, the moderate and uniform settlement of the revenues, and the education of the people that Bishop Heber [1] was moved in 1827 to remark that "on this side of India there is really more zeal and liberality displayed in the improvement of the country, the construction of roads and public buildings, the conciliation of the natives and their education than I have yet seen in Bengal." "His policy" wrote the Bishop elsewhere "so far as India is concerned appeared to me peculiarly wise and liberal; and he is evidently attached to and thinks well of the country and its inhabitants. His public measures in their general tendency evince a steady wish to improve their present condition. No Government in India pays so much attention to schools and public institutions for education. In none are the taxes lighter, and in the administration of justice to the natives in their own languages, in the establishment of panchayats, in the degree in which he employs the natives in official situations, and the countenance and familiarity he extends to all the natives of rank who approach him, he seems to have reduced to practice almost all the reforms which had struck me as most required in the system of Government pursued in those provinces of our Eastern Empire which I had previously visited." [2]

One of Mountstuart Elphinstone's earliest orders was directed towards securing better communication between

[1] Heber's Journey through India.

[2] Heber also records that Elphinstone was strongly opposed to a free press in India in view of "the exceeding inconvenience and even danger which arose from the disunion and dissension which political discussion produced among European officers at the different stations, the embarassment occasioned to Government by the exposure and canvass of all their measures by the Lentuli and Gracchi of a newspaper and his preference of decided and vigorous to half measures where any restrictive measures at all were necessary."

When Elphinstone finally left Bombay in 1827 a ball and supper were given in a colossal pavilion erected on the sands of Back Bay. (Times of India, Sept. 16, 1893.)

the Deccan and Bombay. As early as 1803 General Wellesley had constructed a road for his transport up the Bhor Ghat, which had been designedly destroyed by the Peshwa: and this road the Governor determined to re-construct. By the time Bishop Heber arrived in Bombay a tolerably good road had been commenced. "From Campoolee" he wrote, "I walked up the Bhorel Ghat four and a half miles to Khandalla, the road still broad and good but in ascent very steep, so much so indeed that a loaded carriage or even a palanquin with anybody in it can with great difficulty be forced along it. In fact every one walks, or rides up the hills and all merchandise is conveyed on bullocks and horses. The ascent might, I think, have been rendered by an able engineer much more easy. But to have carried a road over these hills at all, considering how short a time they have been in our power, is highly creditable to the Bombay Government." The work begun by Elphinstone was completed by his successor Sir John Malcolm, who refers in the following words to the achievement. "On the 10th November 1830, I opened the Bhor Ghat which though not quite completed was sufficiently advanced to enable me to drive down with a party of gentlemen in several carriages. It is impossible for me to give a correct idea of this splendid work which may be said to break down the wall between the Konkan and Deccan. It will give facility to commerce, be the greatest of conveniences to troops and travellers, and lessen the expense of European and other articles to all who reside in the Deccan. This road will positively prove a creation of revenue."[1]

Improved communication by sea was likewise sought, and by 1830 a project was afoot for regular communication with England by steamers navigating the Red Sea and Mediterranean. Eight years later regular monthly communication between Bombay and London by the overland route was established, the pioneer of the venture being Mr. Waghorn who left London in 1829 to explore the overland route.[2] The mail was carried by the

1 Edwardes' Rise of Bombay. Maclean's Guide.

2 *Ibid.*

steamers of the Indian Navy between Bombay and Suez; but their further conveyance beyond Suez seems to have been often a matter of great uncertainty. In 1838 for example the Bombay Chamber of Commerce recorded an explanation by Waghorn of the delay in transmission to Bombay of the portion of the June mail addressed to his care; and considerable anxiety was often felt as to whether a steamer would be available for the despatch of the mails in any particular month. Nevertheless, in spite of the delay and difficulties of the journey across Egypt, the service was carried on with more or less regularity and contributed in no little degree to increasing the importance of Bombay during these years.[1]

The settlement of the Deccan naturally resulted in an increase of the trade of Bombay. About 1825 Bombay exports became considerable, and from 1832 onwards a rise in the price of American cotton which was caused by the operations of the bankers of the United States resulted in increased exports of Indian cotton to England. Between 1835 and 1836 these exports expanded by the large total of a million bales: and this fact coupled with a very marked increase in the number of independent European mercantile firms led in 1836 to the foundation of the Chamber of Commerce which since that date, as Maclean has remarked, "has taken an important share in the formation of public opinion and the direction of affairs."

Under the head of administration, the chief event of note was a proclamation by Government of 23rd April 1834 appointing the Earl of Clare[2] to be the first Governor of Bombay under a new Act for the better government of His Majesty's Indian territories, with William Newnham and James Sutherland as members of Council;[3] while on the 18th August 1837 another proclamation was issued declaring "Queen Victoria Supreme Lady of the Castle, Town and Island of Bombay and its Dependencies."[4] Meanwhile the growth of trade

[1] Edwardes' Rise of Bombay. Maclean's Guide.

[2] The Earl of Clare retired in March 1835 and was entertained on his departure with a ball and supper in the Town Hall.

[3] Bombay Courier, 26th April, 1834.

[4] Bombay Courier. 19th August, 1837.

and population was responsible for various improvements in the island, notably the construction of the Colaba Causeway in 1838. Colaba, which up to that date formed the only remaining vestige of the original seven islands constituting Bombay, had been gradually built over ever since the year 1743, when Mr. Broughton rented it of the Company for Rs. 200 per annum. About 1830 the island was held on a yearly tenure by the widow of General Waddington though the buildings erected by her husband were considered to be military quarters in the possesion of Government. The junction of Bombay and Colaba was immediately followed by "commercial speculation in recovering a certain portion of ground for building factories, wharves and the greater facility of mercantile operations." The scheme eventually proved a failure ; but for the time being property in Colaba, hitherto considered of little worth, rose about five hundred per cent. in value, land was purchased by a large number of people and building operations were feverishly prosecuted. [1] One of the chief improvements to the north of Colaba was the construction of the Wellington Pier (Apollo Bandar) which was opened for passenger traffic in 1819 ; [2] while

[1] Monthly Miscellany, 1850. In 1827 Colaba contained few private dwellings and was largely resorted to by thieves. The Abbé Cottineau de Kloguen who visited it in that year describes the passage from Bombay to Colaba by boat (Times of India, 16th September 1893). Mrs. Postans writing in 1838 describes Colaba as "a pretty retired spot, whose dullness is redeemed by the health-inspiring breezes, which play around its shores. A good road runs to its extreme end on which stands the light house and the lunatic asylum. The Queen's 6th regiment is at present stationed there, and many families reside on the island, who prefer such quiet to the gaieties of the sister land. In truth, until late improvements were considered necessary, few residences could be so inconvenient for any but the very quiet as Angria's Colaba (*Sic*). A rocky sort of way about a mile in length connected this tongue of land with Bombay, which at high tide was covered with the rolling flood. Many have been the luckless wights who returning from a festive meeting, heedless of Neptune's certain visit, have found the curling waves beating over their homeward path, compelling them to seek again the banquet-hall deserted and beg a shake-down at the quarters of their host. The more impetuous have sought to swim their horses across the dangerous pass and lives have been lost in the attempt. This inconvenience so severely felt led at length to the erection of a solid and handsome vallade with a foot-path protecting the elevated and level road."

[2] Mrs. Postans (1838) remarks that "on landing either at the new Apollo or Customs House bunders, hamals bearing palanquins,

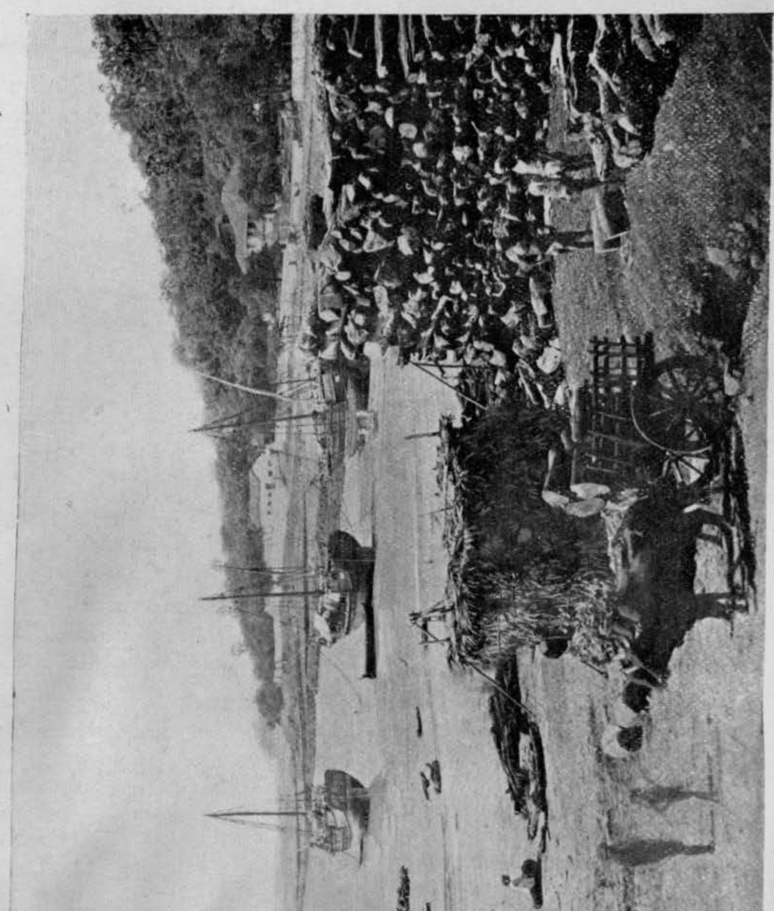
a new mint was commenced in 1825, orders for a new hospital in Hornby Road were issued in the same year, and the Elphinstone High School and Elphinstone College were founded respectively in 1822 and 1827. The erection of the Town Hall likewise dates from this period. Sir James Mackintosh had first proposed to build a Town Hall in 1811, "the object in view being to provide a suitable building for public meetings and entertainments, and also to make a home for the library and museum of the Literary Society, and for the reception of statues and public monuments of British art." Lotteries were set on foot in 1812 and 1823 in the hope of raising sufficient funds for the building, a site for which had been granted by the Company in 1817; but eventually it was found necessary to hand over the work, commenced in 1821, to Government who provided funds for its completion in 1833.

Outside the walls of the Fort also the face of the land was undergoing change. The town was gradually creeping over the reclaimed higher grounds, westward along Back Bay and northward to Byculla, so that by 1835 new communications became essential. One of the earliest of these was the great main road, named after Sir Robert Grant [1] and constructed during his Governorship (1835-38,) which still links Byculla with Chaupati. Douglas has recorded the existence of country-houses in Mazagon, of four bungalows at Malabar Hill and of the Market, Mandvi, Umarkhadi and Bhuleshwar providing homes for a constantly increasing population. Another writer, speaking of the fragile residences which the European population constructed on the Esplanade during the fair season, mentions "groups of pakka built and handsome houses to be found at Girgaum, Byculla, Chinchpugli and other places." Government House, Malabar Point, which Sir John Malcolm had constructed, was in common use as the hot weather retreat of the Governor by 1835; while another well-known edifice was the Pinjara Pol or home for

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rich in green paint and silken curtains, entreat the custom of the new arrival."

[1] Sir R. Grant died at Dapuri near Poona in July, 1838. The Metropolitan of India in 1843 described his work as Governor of Bombay in very eulogistic terms (Bombay Times, April 22nd, 1843).



aged and diseased animals which was "erected by a Prabhu in the office of Messrs. Forbes and Company who had amassed considerable wealth with the object of devoting it to charitable purposes." By the year 1838 there were two large bazaars in the Fort, the China and Thieves' bazaars, the latter "crowded with warehouses whence European articles were disposed of at a small profit," and three great bazaars in the Native Town, "from which branch innumerable cross roads, each swarming with its busy crowds." "During the last few years" wrote Mrs. Postans "the leading roads of the native town have been watered and even tolerably lighted. This has proved very advantageous after all the inconveniences which attended the old system of dust and darkness. It is still however only for an hour or two after sunrise that horsemen or carriages can pass unimpeded by stoppages of varied character. The most profitable trade carried on in these bazaars is the sale of toddy; to so considerable an extent has the general use of this intoxicating beverage increased that Government have been constrained to issue an order, forbidding the existence of toddy stores within a regulated distance of each other. On a moderate computation, however, every sixth shop advertises its sale." [1] The native town comprised roughly a portion of the modern C ward, most of B ward, Byculla, [2] Mazagon and Kamathipura, and was just commencing to absorb the mordern areas of Dhobi Talao, Girgaum, Chaupati and Khetwadi. Parel was fairly populated but had not yet been transformed into a teeming warren of industry. Sion, Sewri and Mahim contained much the same population as they did at the beginning of the century; but Matunga which had at that period served as an European artillery-station, was totally deserted by 1835 except for a couple of small hamlets sheltering the descendants of those who once performed the office of menials to the military camp.

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[1] Mrs. Postans' Western India.

[2] Mrs. Postans remarks that "The Arab stables which occupy a considerable space in the great bazaar form a powerful attraction to the gentlemen of the Presidency."

The rapid increase of the town and of its population is to some extent portrayed by two occurrences, namely the water-famine of 1824 and the Parsi-Hindu riots of 1832. In the former year only 25 inches of rain had fallen by the end of August and the wells which by Mr. Elphinstone's orders had been sunk on the Esplanade at the commencement of the drought proved totally inadequate to supply the whole population.[1] Government thereupon appointed a "Committee of tanks and wells" composed of the Revenue Collector, the Chief Engineer and the Secretary to the Medical Board, and placed at their disposal the services of an Engineer to frame plans and estimates of such works as they might consider necessary for relieving the scarcity. Under their superintendence several wells were repaired and improved and new wells were sunk in localities in which an additional water-supply was most wanted. At considerable expense to Government many of the large tanks in Bombay and Mahim were also deepened and widened.[2] The riots referred to above broke out in July 1832 among the Parsis and one or two Hindu sects in consequence of a Government order for the destruction of pariah dogs which at this date infested every nook and corner of the island. A couple of European constables, stimulated by the reward of eight annas a dog, were killing one in the compound of a native dwelling, when they were suddenly attacked and severely handled by a mixed mob composed of the sects above-mentioned. On the following day all the shops on the island were closed and a party of about three hundred people commenced to terrorise anyone who attempted to prosecute his usual daily occupation. The bazaar was deserted; and the mob forcibly destroyed the provisions intended for the Queen's Royals who were on duty in the Castle and prevented all supplies of food and water being conveyed to Colaba and the shipping in the harbour. As the mob continued to be reinforced, Mr. DeVitre, Senior Magis-

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[1] Heber's Journal, p. 99.

[2] Report upon Past Famines in the Bombay Presidency, 1868. In 1822 Dhobi Talao had also run short of water (*Mumbaicha Vrittant*, 316).

trate of Police, asked for the assistance of the garrison-troops who speedily put an end to the disturbance.[1]

Before describing the chief events of the latter portion of the period under review, it will not be out of place to quote the following description of Bombay in 1838 by an anonymous writer in the Asiatic Journal of that year :—

"In point of striking scenery, and its immediate contiguity to antiquities of the most interesting nature, Bombay possesses great advantages over the sister-presidencies ; but these are counterbalanced by inconveniences of a very serious nature, to which, in consequence of the limited extent of the island, many of the inhabitants must submit. Bombay harbour presents one of the most splendid landscapes imaginable. The voyager visiting India for the first time, on nearing the superb amphitheatre, whose wood-crowned heights and rocky terraces, bright promontories and gem-like islands are reflected in the broad blue sea, experiences none of the disappointment which is felt by all lovers of the picturesque on approaching the low, flat coast of Bengal, with its stunted jungle. A heavy line of hills forms a beautiful outline upon the bright and sunny sky ; foliage of the richest hues clothing the sides and summits of these towering eminences, while below, the fortress intermingled with fine trees, and the wharfs running out into the sea, present, altogether, an imposing spectacle, on which the eye delights to dwell.

"The island of Bombay does not exceed twenty miles in circumference, and communicates with that of Salsette by a causeway built across a channel of the sea which surrounds it. It is composed of two unequal ranges of whinstone rock, with an intervening valley about three miles in breadth, and in remoter times was entirely covered with a wood of cocos. The fort is built on the south-eastern extremity of the island, and occupies a very considerable portion of ground, the outworks comprehending a circuit of two miles, being, indeed, so widely extended, as to require a very numerous garrison. The town or city of Bombay is built within the fortifications, and is

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1 Bombay Courier, 28 July 1832. Michael's History of the Municipal Corporation, p. 455.

nearly a mile long, extending from the Apollo gate to that of the bazaar, its breadth in some places being a quarter of a mile ; the houses are picturesque, in consequence of the quantity of handsomely-carved woodwork employed in the pillars and the verandahs ; but they are inconveniently crowded together, and the high, conical roofs of red tiles are very offensive to the eye, especially if accustomed to the flat-turreted and balustraded palaces of Calcutta. The Government-house, which is only employed for the transaction of business, holding durbars—a large, convenient, but ugly-looking building, somewhat in the Dutch taste—occupies one side of an open space in the centre of the town, called the Green. The best houses, and a very respectable church, are situated in this part of the town, and to the right extends a long and crowded bazaar, amply stocked with every kind of merchandize. Many of the rich natives have their habitations in this bazar, residing in large mansions built after the Asiatic manner, but so huddled together as to be exceedingly hot and disagreeable to strangers unaccustomed to breathe so confined an atmosphere. One of the principal boasts of Bombay is its docks and dock-yards : they are capacious, built of fine hard stone, and are the work of Parsi artisans, many of whom, from their talents and industry, have risen from common labourers to be wealthy ship-builders. Many splendid vessels, constructed of teak wood—the best material for building—have been launched from these docks, which contain commodious warehouses for naval stores, and are furnished with a rope-walk, which is the admiration of those who have visited the finest yards in England, being second to none, excepting that at Portsmouth.

"The island of Bombay, from an unwholesome swamp, has been converted into a very salubrious residence ; though enough of shade still remains, the superabundant trees have been cut down, the marshes filled up, and the sea-breeze, which sets in every day, blows with refreshing coolness, tempering the solar heat. The native population, which is very large, has cumbered the ground in the neighbourhood of the fortifications with closely-built suburbs, which must be passed before the visitor

can reach the open country beyond, at the further extremity of the island. The Black Town, as it is called, spreads its innumerable habitations, amidst a wood of cocoa-nut frees—a curious busy, bustling, but dirty quarter, swarming with men and the inferior animals, and presenting every variety of character that the whole of Asia can produce. The cocoa-nut gardens, beyond this populous scene, are studded with villas of various descriptions, the buildings within the fortifications being too much crowded together to be desirable; those belonging to European residents are, for the most part, merely retained as offices, the families seeking a more agreeable situation in the outskirts. Comfort, rather than elegance, has been consulted in the construction of the major portion of these villas; but any defalcation in external splendour is amply compensated by the convenience of the interiors. * * * Those persons who are compelled, by business or duty, to live in the immediate vicinity of Government house, only occupy the houses inside the fortifications during the rainy season; at other periods of the year they live in a sort of *al fresco* manner, peculiar to this part of the world. A wide Esplanade, stretching between the walls of the fort and the sea, and of considerable length, affords the place of retreat. At the extreme verge a fine, hard sand forms a delightful ride or drive, meeting a strip of grass or meadow-land, which with the exception of a portion marked off as the parade-ground of the troops in garrison, is covered with temporary buildings: some of these are exceedingly fantastic. Bungalows constructed of poles and planks, and roofed with palm-leaves, rise in every direction, many being surrounded by beautiful parterres of flowers, blooming from innumerable pots. Other persons pitch tents, which are often extensive and commodious, on this piece of ground, covering them over with a "chupper" or thatched roof, supported on slender pillars, and forming a verandah all round.

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"Of the native community, as it has been already stated, a large majority are Parsis, who, at a very remote period—the eight century of the Christian era—

were driven by the persecution of the Mahomedan conquerors of Persia, to take refuge in Hindustan. The lower classes of Parsis are in great request as domestics at Bombay; they are far less intolerant in their principles than either Mussalmans or Hindus, and will, therefore, perform a greater variety of work, and are more agreeable to live with; but in personal appearance, they cannot compete with Bengal servants, whose dress and air are decidedly superior. The greater portion of the wealth of the place is in the hands of Parsi merchants, who are a hospitable race, and, though not extravagant, liberal in their expenditure. The houses of these persons will be found filled with European furniture, and they have adopted many customs and habits which remain still unthought of by the Mussalmans and Hindus. The women, though not jealously excluded from all society, are rather closely kept; they have no objection to occasionally receive the husbands of the European ladies who may visit them, but they do not mingle promiscuously with male society. The Parsi females are not distinguished for their personal appearance, being rather coarse and ill-favoured; but many employ themselves in a more profitable manner than is usual in native women. Work-tables fitted up after the European mode, are not unfrequently found in their possession; they know how to use English implements in their embroidery, and they have English dressing-cases for the toilette. Considerable pains, in some instances, are bestowed upon the education of the daughters, who learn to draw and to play upon the piano; and one Parsi gentleman, of great wealth, contemplated the introduction of an English governess, for the purpose of affording instruction to the young ladies of his family.

"The Jews are more numerous, and of a higher degree of respectability in Bombay than in any other part of India; they make good soldiers, and are found in considerable numbers in the ranks of the native army. There are Armenians also, but not nearly so many as are settled in Calcutta. * * * The Portuguese inhabitants rear large quantities of poultry; but game is not plentiful on the island, in consequence of its limited ex-

tent: red-legged partridges are however found, and on some occasions, snipe. The European inhabitants are usually supplied with their fruit and vegetables from the bazaar, as there are comparatively few gardens attached to their houses: great quantities of the productions sold in the markets are brought from the neighbouring island of Salsette, which is united to that of Bombay by a causeway—a work for which the inhabitants are indebted to Governor Duncan, who constructed it over a small arm of the sea. This communication, which has a drawbridge in the centre, is a convenience both to the cultivators and to the residents of Bombay, who are thus enabled to extend and diversify their drives, by crossing over to Salsette. A great portion of Salsette is now under cultivation, the Parsis and other wealthy natives possessing large estates on the island.

"The favourite residence of the Governor (who has three residences upon the island) is usually a villa at Malabar Point, a particularly beautiful situation, being a woody promontory, rising so abruptly from the sea, that its spray dashes up against the terraces. The principal residence of the Governor is at Parell, about six miles from the city, and here he gives his public entertainments. It is a large handsome house, well constructed and appointed, having spacious apartments for the reception of company.

"The large Portuguese village or town of Mazagong, which is dirty and swarming with pigs, is, however, finely situated, occupying the shore between two hills, and is moreover celebrated as being the place at which the fine variety of mango, so much in request, was originally grown. The parent tree, whence all the grafts were taken which have supplied the neighbouring gardens, was said to be in existence a few years ago, a guard of sepoys being stationed round in the proper season to preserve its fruit from unhallowed hands. From these groves in the time of one of the most luxurious Moghal emperors, Shah Jehan, the royal tables of Delhi were furnished with their principal vegetable attraction, couriers being despatched to bring the far-famed mangoes to the imperial court. Moore has alluded to the circum-

stance in "Lalla Rookh," attributing the acerbity of the critical Fadladeen's temper to the failure in the supply of mangoes. Mazagong-house was the residence of Sterne's Eliza; but the interest which this heroine of the ultra-sentimental school formerly excited, has become very much faded, and there seems to be some doubt whether her existence will be remembered by the next generation.

"A great number of the poorer inhabitants of Salsette, Elephanta and the other islands of Bombay, subsist by fishing: cultivation is, however, extending in the interior; and in the course of a few years, the influx of visitors to Bombay, which must be materially increased by steam-navigation to India, will doubtless direct the attention of persons desirous to colonize, to the purchase of land in these fertile but somewhat neglected scenes. The various remains left by the Portuguese show that in their time agriculture flourished in places now reduced to jungle, from the usual consequences of Maratha conquest; and although the invaders subsequently ceded their territories to the British Government, they have never recovered from the ravages committed by a people, who may with justice be styled the most destructive upon earth."

Among the chief military and political events, which occurred just prior to the middle of the nineteenth century, were the appointment of a British resident to Savantvadi in 1838, the inclusion of Angria's Kolaba in British territory in 1841, the bombardment of Aden in 1839, the assumption of the right to administer the affairs of Kolhapur in 1842, the conquest of Sind in 1843 and the annexation of Satara in 1848. These actions doubtless served to impress upon the public mind the fact that Bombay was now the paramount power in Western India, but had little effect upon the progress of the island as compared with the internal reforms initiated during the twenty years preceding 1860. Foremost among the latter was the introduction of railway communication. In 1844 the Great Indian Peninsula Railway, to which Sir B. Frere offered the motto *Primus in Indis*, was projected; the first sod was turned by Mr. Willoughby at Bombay in 1850, and the first

twenty miles to Thana were opened in 1853.[1] Two years later (1855) the monthly mail service, which had reached "a state of inefficiency and disorganisation calling loudly for reform," was reorganised; the employment of ships of the Indian Navy for this purpose was to the relief of travellers discontinued; and a contract was granted to the Peninsular and Oriental Steamship Company for the carriage of passengers and mails twice a month between Bombay and Aden in connection with their Calcutta and Mediterranean service. In 1857 even the bi-weekly voyage was decried, and an agitation was set on foot for an effective weekly mail-service which bore fruit in 1868.

The progress of trade during these twenty years was evidenced in various directions. The old system of houses of agency gradually disappeared in favour of joint-stock banks, of which the earliest, the Bank of Bombay, was opened in 1840. The *Bombay Times* of April 15th, 1840, remarked that "the Bank of Bombay opens for business this day, three years and nearly four months having elapsed since the first subscription to it, and after surmounting a series of such difficulties and obstacles, as we believe no similar institution ever encountered before and such as we may safely predict no institution for the public good will encounter again." The difficulties attending the opening of this Bank, however, appear to have exercised no check upon the formation of similar institutions; for in 1842 the Bank of Western India was established and by 1860 the Commercial, the Chartered Mercantile, the Agra and United Service, the Chartered and the Central Bank of Western India had all gained an assured position. The commencement of the cotton-spinning and weaving industry also dates from this period. In 1850 even the model of a cotton-mill could not have been found in Bombay; but shortly

[1] The Bombay Times of 16th April 1853 remarks :—"This day will hereafter stand as a red-letter day on the calender. The opening of the first railway ever constructed in India forms one of the most important events in the annals of the East, since the soil of Hindustan was first trodden by European foot. The train that starts from beneath the walls of Fort George this afternoon goes forth conquering and to conquer."

afterwards the enormous imports of piece-goods and yarns from Lancashire set the merchant community wondering whether it might not be feasible to fight Manchester with her own weapons and themselves supply the demands of the island and the Presidency. In 1854 the first mill, the Bombay Spinning and Weaving Company's Mill, commenced working, and by 1860 six more had been opened and had attracted to the island a considerable industrial population.

Meanwhile the influx of population engendered by the above causes impressed upon all minds the need of improved communications, more space for building and a better system of conservancy. The Fort this date (1850) was described as looking like "a large basket stuffed so full of goods that they threatened to tumble out of it." "The dreary, treeless, sunburnt wilderness of the Esplanade during the hot season with its few dusty narrow roads leading to the native town was appalling. Almost universal darkness prevailed as soon as night set in: all traffic ceased, and people traversing the *maidan* after 9 p.m. were in mortal fear of thieves and robbers. The Fort was like a city of the dead; neither foot-passengers nor carriages could be seen, and if a man passed he walked as it were by stealth and flitted away like a spectre. Had anyone the misfortune to arrive with baggage after dark at any of the three gates through which entrance could be obtained, his vehicle was gruffly stopped by the sentinel on duty and he was told that nothing could come in."[1] In 1841, a year after reclamation on a small scale had been initiated by Messrs. Skinner, Brownrigg and Richmond, the public press had condemned the Fort as an obsolete and troublesome burden upon the community and under the auspices of Lord Elphinstone (1853—60), the pioneer of Bombay urban improvement, some attempt was made before 1860 to clear away the oldest portion of the defences.[2] The delay which occurred in demolishing the whole of the ramparts and the decision of the Fort Improvement

[1] Times of India, August 17th, 1874.

[2] The Apollo Gate had almost entirely disappeared by 1855. See Edwardes' Rise of Bombay.

Committee in 1848 to remove merely the ravelins and art-works was partly due to the opposition of the native community who in an appeal to Government in that year pointed out that fresh space for the extension of the town was readily available in Colaba, Girgaum, Dhobi Talao and Breach Candy.

The conservancy of the town was likewise a subject of constant discussion at this period. Public health and the conduct of civic affairs were originally in the hands of the Justices of the Peace, who had been succeeded by Courts of Pretty Sessions, Magistrates of Police, and finally by a Conservancy Board in which "obtuseness, indifference and party spirit appeared to have completely overcome whatever medium of public spirit was still conserved among its members." Consequently in 1858 an Act was passed abolishing the Conservancy Board and substituting for it a triumirvate of Municipal Commissioners, which existed till 1865. It was during their régime that the Vehar Waterworks, for the opening of which the city was indebted to the determination and liberality of Lord Elphinstone, were taken in hand, whereby "a population annually liable to decimation by water-famine" was for the first time supplied with a sufficiency of good water. They also prepared a rough scheme of drainage which was published in 1861. These projects were rendered imperative by the rapid expansion of the town. Prior to the date of the Mutiny the most important improvements were the Bellasis road "with its two gaping black ditches on either side" and the construction of the Mahim Causeway, which was opened in 1845 and was described as "a stupendous mound which cuts off an arm of the sea and promises to give to the husbandman what has hitherto been an unproductive estuary, a bridge which enables the traveller to pass a dangerous ferry in safety." But subsequent to 1857 the town expanded to such an extent that apathy in the matter of public improvements was no longer possible. Malabar Hill, Breach Candy and Mahalakshmi were eagerly seized upon by the European and upper-class native residents; the ancient oarts and gardens were peopled by the poorer classes, whom the prospect of lucrative employment enticed from the dis-

tricts of the mainland. "On the whole of that district," wrote a correspondent of the *Times of India* in 1860, "lying between the sea and Girgaum Back road, building operations have been in active progress for some years past but have within the last two years been pushed on with unprecedented rapidity. Houses are rising in all directions and what was some few years ago merely a cocoanut plantation will within the next half century be as thoroughly urban as Mandvi or Khara Talao. Cavel and Sonapur are utterly destitute of cross-thoroughfares and illustrate what will be the future condition of the whole oart district if systematic proceedings are not at once adopted."

Two serious breaches of the public peace occurred during this period. The earliest occurred at Mahim on the last day of the Muharram, 1850, in consequence of a dispute between two rival factions of Khojas and resulted in the murder of three men and the wounding of several others.[1] The later riots broke out between the Muhammadans and Parsis in October, 1851, in consequence of a very ill-advised article upon the Muhammadan religion which appeared in the *Gujarathi*. The Muhammadans, enraged by the Parsi editor's strictures upon the Prophet, collected at the Jama Masjid on the 17th October in very large numbers, and after disabling a small police patrol which had been posted there to keep the peace fell to attacking any Parsi they met and destroying the property of members of that community. The public conveyance stables at Paidhoni were wrecked, liquor-shops were broken into and rifled, shops and private houses were pillaged. Captain Baynes, the Superintendent of Police, aided by Mr. Spens, the Chief Magistrate, managed with a strong force to disperse the main body of rioters, capturing eighty-five of them; but towards evening, as there were signs of a recrudescence of violence and the neighbourhood of the Bhendi Bazaar was in a state of practical siege, the troops of the garrison were marched down to Mumbadevi and thence distributed in picketing parties throughout the

[1] Bombay Times, Dec. 14, 1850.

disturbed area. This action had the effect of finally quelling the disturbance and the annual Muharram festival, which commenced on the 27th October, passed off quietly. [1]

The period of the Mutiny was fraught with anxiety to the European residents of Bombay, and more than one native of standing narrowly escaped arrest for high treason, as the result of false complaints laid before the authorities by interested parties. Among those thus secretly impeached was Mr. Jagannath Shankarshet (1804—65) who might conceivably have incurred the same fate as Rama Kamati in earlier years, had Lord Elphinstone been less calm, circumspect and resolute. Jagannath's guilt was firmly believed in by several Europeans of influence, who brought the facts to the notice of the Governor: and he ordered an investigation to be made by Charles Forjett, Commissioner of Police, who was able to satisfactorily prove that the stories were wholly unfounded[2]. Nevertheless the widespread anxiety in Bombay between May and September 1857 was by no means groundless. There were at this date three sepoy regiments on the island and only one European force of 400 men under Brigadier Shortt. The native troops were implicitly trusted by their officers and the chief danger apprehended by the Bombay Government was from the Muhammadan population which numbered at this date about 150,000 Besides the troops Mr. Forjett was in charge of a number of native and 60 European police. Forjett, who was born and bred in India and could disguise himself as a native without fear of detection, was convinced that the townspeople would not stir without the sepoys; but he knew that the latter were planning mutiny and much to the disgust of the Brigadier made no secret of his views. The Muharram was approaching, which is always an occasion of anxiety in Bombay even in times of peace; and the plans made by Government to keep order involved the splitting up of the European troops and police into small parties. Forjett by no means approved of an arrangement by which there would

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1 Bombay Times, Oct. 18, 1851.

2 Bombay Gazette, Dec. 25, 1907.

be no Europeans to oppose a mutiny of the sepoys at the place where it was likely to begin. As regards the troops he could do nothing, but he told the Governor that he felt obliged to disobey orders as to the location of the police. "It is a very risky thing," said Lord Elphinstone, "to disobey orders; but I am sure you will do nothing rash."

Forjett did disobey orders, in spite of risk. He wandered round the city in disguise every night of the Muharram and whenever he heard anyone sympathising with the success of the mutineers in other parts of India, he at once whistled for his men, some of whom were sure to be near. The scoundrels of the town were so alarmed at these mysterious arrests, which seemed to show that the authorities knew everything, that they remained quiet. But towards the end of the Muharram, a drunken Christian drummer belonging to one of the sepoy regiments insulted a religious procession of Hindus, and overthrew a god that they were escorting. He was at once arrested and placed in custody; but the men of his regiment, incensed at the action of the police, whom they detested on account of Forjett's hostility to themselves, hurried to the lock-up, rescued the drummer and took him with two policemen to their lines. A European constable and four natives went at once to demand that their comrades should be released and the drummer given up. They were resisted by force ; a struggle ensued, and the police fought their way out, leaving two sepoys for dead. The sepoys were in the utmost fury and excitement, and Forjett was summoned by his police. Forjett was equal to the emergency. He ordered his European police to follow him, and galloped to the scene of the mutiny. He found the sepoys trying to force their way out of the lines, and their officers with drawn swords with difficulty restraining them. On seeing Forjett their anger could hardly be controlled. "For God's sake, Mr. Forjett," cried the officers, "go away?" "If your men are bent on mischief," he replied, "the sooner it is over the better." The sepoys paused while Forjett sat on his horse confronting them. Soon his assistant and fifty-four European constables arrived, and Forjett cried,

"Throw open the gates—I am ready for them!" The sepoys were not prepared for this prompt action; and in the face of the European force judged discretion to be the better part of valour.

A few days later, Forjett erected a gallows near the police office, summoned the chief citizens whom he knew to be disaffected, and pointing to the gibbet told them that on the slightest sign that they meditated an outbreak they would promptly be hanged. The hint was taken. But there was still danger from the sepoys. Forjett learnt that a number of them were systematically holding secret meetings at the house of one Ganga Prasad. He immediately had this man arrested, and induced him to confess what he knew. The next evening he went to the house and through a hole in the wall gathered from the sepoys' conversation that they meant to mutiny during the Hindu festival of the Divali in October, pillage the city and then leave the island. His report of this to the officers was received with incredulity; but Forjett persuaded Major Barrow, the Commandant of one of the regiments, to go with him to the house. "Mr. Forjett has caught us at last," said Brigadier Shortt when the facts were reported to him. Court-martials were promptly held, the two ring-leaders—a native officer of the Marine Battalion and a private of the 10th N.I. were blown from guns on the Esplanade, and six of their accomplices were transported for life. The Divali passed off quietly, and thus by the prescience of the Superintendent of Police, Bombay was saved from the horrors of mutiny.[1]

[1] A short history of the Bombay Presidency, 1887. In connection with the mutiny it may be stated that Sir Henry Havelock served twice in Bombay. In 1846 he came out as Deputy Adjutant General of the Queen's troops at Bombay and remained here till 1847. In 1848 he seconded an address to George Clerk the retiring Governor of Bombay in the Town Hall. His speech was very appropriate and was loudly cheered. It ended as follows:—"If it were possible to recall the defenders of Jellalabad or if I could summon round this table my surviving comrades of Jellalabad, by acclamation they would corroborate that which I now tell you that in moments such as I have endeavoured to describe the hopes and expectations of the garrison of succour from beyond the Sutlej were mainly built on the energy, perseverance and address of him who is known to you, Gentlemen, as the Governor of Bombay, but who was best known to the garrison, as he will be probably best known in history, by the title of George Clerk of Umballa." Clerk came back again as Governor twelve years later,

The town meanwhile had watched the course of affairs in Bengal with feverish interest. A great meeting was held in the Town Hall in July 1857 to form a fund for the relief of those who had suffered in the mutiny; the Parsis met *en masse* on the beach at Back Bay and thence moved to the fire-temple, in Chandanwadi to pray for the success of British arms against the rebels; and after the Queen's Proclamation, which was read from the steps of the Town Hall on the 1st November 1858, thanksgiving was offered in every temple, mosque and church upon the island and all sections of the people were present at the festivities and illuminations arranged in honour of that event. [1]

The years which elapsed between 1820 and 1860 were emphatically years of steady improvement. Yet, notwithstanding the building of mills, the opening of institutions like the Grant Medical College and the projection of water-works, the town had s ill to be decked in a manner worthy of her position as a possession of the British Crown. Increasing commerce demanded new facilities for transit and new wharfage and pier accommodation. Fortunately for posterity the administration was entrusted at this juncture to one who clearly realized the need for expansion and urban improvement and possessed the energy and determination to carry it out in face of the obstruction and indignation of the Government of India; while circumstances, to be referred to hereafter, placed at the disposal of Bombay the funds needed to perfect her transformation from a mercantile town into a splendid and populous city. Modern Bombay really dates from the year 1860 and was brought into existence by the achievements of Sir Bartle Frere's administration.

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and Havelock also served again in Bombay from December 1851 to May 1854—(Bombay Gazette, Dec. 28, 1907).

[1] Bombay Times, 1857 and 1858. In March 1859 Bombay entertained H. M's. 64th, 78th and 86th regiments in the new premises of the Colaba Cotton Press Company, after their return from Cuce and in April 1859 the 78th Highlanders were entertained publicly in the Governor's Durbar Tents on the glacis of he Esplanade opposite the Bandstand. (bombay Times, 30th March and 25th April, 1859.)

The period between 1860 and 1865 was one of feverish activity in Bombay, and was marked by progress in every branch of the administration. In the case of the island's railway communication the advance was particularly noticeable. At the close of 1860 the Great Indian Peninsula Company had opened their line as far as Thana, and three years later, on the 22nd April 1863, the Bhor Ghat incline was opened. Sir Bartle Frere was present at the opening ceremony and in recalling the words of Sir John Malcolm in 1830 said :—"When I first saw the Ghat some years later, we were very proud in Bombay of our mail cart to Poona, the first and at that time, I believe, the only one running in India ; but it was some years later before the road was generally used for wheeled carriages. I remember that we hardly met a single cart between Khandalla and Poona. Long droves of pack bullocks had still exclusive possession of the road and probably more carts now pass up and down the Ghat in a week than were to be seen on it in a whole year. But the days of mail cart, and bullock cart, as well as the Brinjari pack bullocks, are now drawing to a close." The value of the railway in fostering the growth of Bombay has been well nigh incalculable ; both European and Native profited by the saving of time and expense thereby assured ; and a journey to the Deccan, which once cost £6 and lasted twenty-four hours, became by virtue of a splendid feat of engineering, an easy achievement costing but a few rupees and lasting only for about six hours. Nor was Gujarat forgotten. Communications in that part of the Presidency were inferior to those of the Deccan and Konkan, by reason of the entire absence of made roads. This mattered but little in the fair season when communication by sea was open ; but for three or four months every year the inhabitants of Gujarat were denied all means of access to Bombay and many a luckless resident of Kathiawar, Ahmadabad or Baroda died of sickness that might have yielded to treatment in another climate. The opening of the first section of the Bombay, Baroda & Central India Railway in 1860 therefore brought relief to many, and was followed by the opening of the Broach and Baroda

section in 1861 and of the Ahmadabad section in 1863. Finally in 1864 the line which the Company had been forced by Government to commence at a distance from its base of operations was completed southwards as far as Bombay. The original proposal, made by Sir George Clerk when Governor of Bombay, had been to give the Bombay and Baroda Railway a concession of the shallow waters of Back Bay, which had been converted by the inhabitants of the adjacent undrained native town into a noisome and pestilential foreshore, on the sole condition of their constructing their railway across it at an estimated cost of about £90,000. This outlay would have been more than covered by the sale of the land reclaimed between the railway embankment and high-water mark. The Home Government, however, objected to this being done by the railway with their guaranteed capital, and the concession was given to a company of Bombay merchants, the agreement being that the Back Bay Reclamation Company, after reclaiming from the sea and making over to the Government the land required for the railway and other public purposes, should make its profit out of the rest of the reclaimed land.[1]

Further encouragement was afforded to trade by the institution of a regular service of coasting steamers and by the opening of the Suez Canal. In 1866 Government arranged with the Bombay Coast and River Steam Navigation Company for the maintenance of steam ferries between Bombay and Mandva, Karanja, Revas, Dharamtar, Uran and Ulva; while the opening of the Suez Canal in 1869 effected a complete revolution in the carrying trade of Bombay, which had up to that date been restricted by a lengthy voyage round the Cape. Early in the previous year a weekly mail service had been instituted in response to the agitation commenced in 1857 and Bombay had become the port of arrival and departure for all the English mails. The claims of Bombay to be regarded as the imperial port of India had become too strong to be disregarded for the sake

[1] Martineau's Life of Sir Bartle Frere, 1895, Vol. II.

of local interests; and by 1875 Bombay harbour had become acquainted not only with the P. & O. weekly mail-steamers but with the Government transports conveying the annual reliefs to India, and with the passenger steamers of the Austrian-Lloyd, the Rubattino, the Anchor, the Clan and the Hall Lines. The British India Company also had entered into a contract with Government for the carriage of mails from Bombay to all the other large ports of India. Finally, to complete the record of what was done during these years to improve communication between Bombay and the rest of the world, we may mention that a direct submarine cable was laid down from Suez to Bombay in 1870, in connection with the cable from Falmouth to Gibraltar. A cable had been previously laid down in 1860, but it became useless after one or two messages had been transmitted through it. Telegraphic communication between England and Karachi by a Persian Gulf cable was however successfully established in 1865.[1]

The third fundamental cause of the growth of Bombay was the enormous increase of the cotton-trade and the subsequent Share Mania of the years 1861-65. The outbreak of the Civil war in America, which at once cut off the supply of American staples, is calculated by Maclean [2] to have given to Bombay roughly 81 millions sterling in five years over and above what she had in former years as a fair price for her cotton. "Allowing," says he, "a liberal margin for errors of valuation at the Custom House, we may compute the clear addition to the wealth of Bombay at 70 to 75 millions sterling—a tolerably substantial foundation for speculators to build upon. An unexampled exportation of cotton continued as long as the war lasted." "The produce of all the great cotton fields of India, Nagpur, Berar, Gujarat and the Southern Maratha Country," writes Sir Richard Temple, "found its way to Bombay in order to be exported to England with all possible despatch, while the high prices ruled and the blockade of the South American ports lasted. So sudden was the demand,

[1] Maclean's Guide to Bombay.

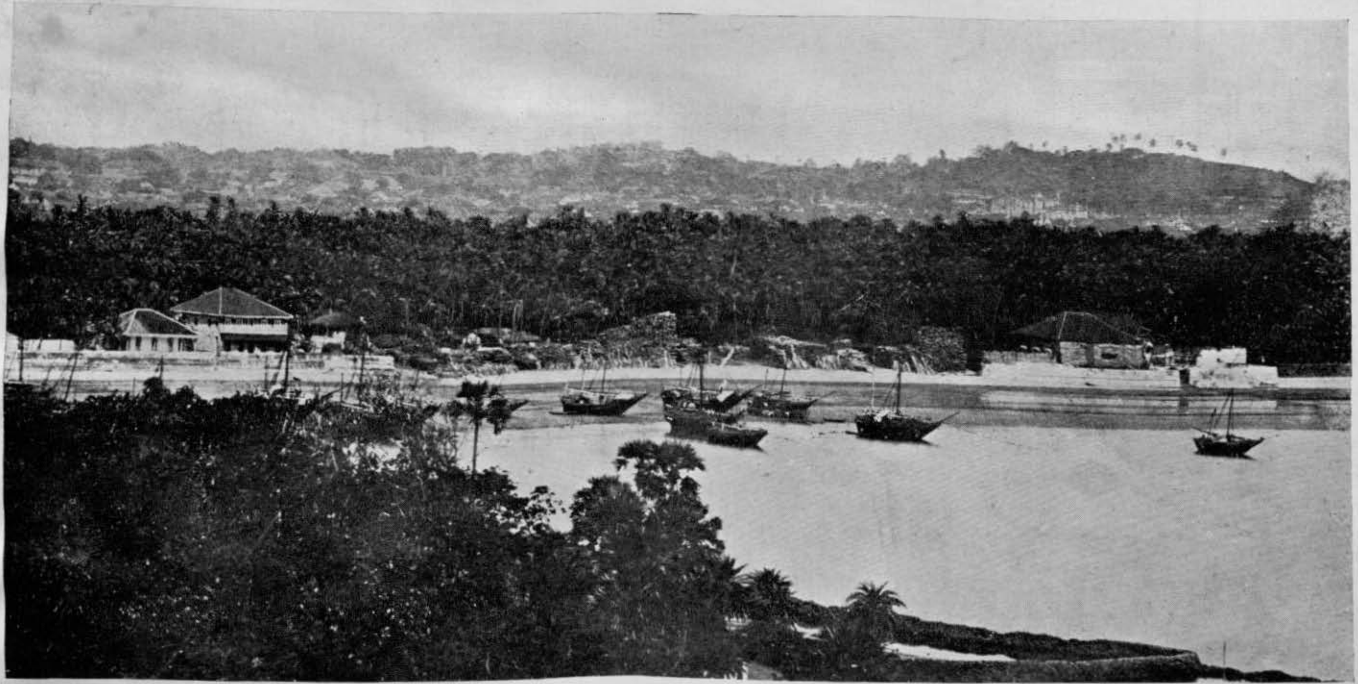
[2] Maclean's Guide to Bombay.

so high the range of price, so vast the profits, that an economic disturbance set in. Money seemed to lose its purchasing power, the prices of almost all articles rose simultaneously and the wages of labour were enhanced in proportion."[1] Dealers were absolutely indifferent to quality, so long as they could hurry on the staple to the market and gain the fortune spread before their eyes. The Press voiced the forebodings of the wiser portion of the public, but was not heeded. The economic history of most commercial countries has shewn that when money in vast quantities seeks for and fails to find sound investments, it will be wasted. The wastage takes the form of unwise or insane speculation. It was to such speculations that Bombay fell a victim during these years.

At the outset, speculation was confined to ventures in cotton and piece-goods; but as the money made in this way accumulated, and adventurers from all parts were attracted to Bombay all sorts of ingenious schemes were devised for putting the newly-acquired wealth to use. By 1864 the whole community of Bombay, from the highest English official to the lowest native broker, became utterly demoralized and abandoning business gave themselves up to the delusion that they could all succeed in making fortunes on the Stock Exchange.[2] Up to the end of 1863 almost the only new form of enterprise brought before the public had been the creation of joint-stock banks; but in that year the Bombay

[1] Temple's Men and Events of my Time in India. Among other things, house-rent in Bombay rose so high that many civil servants were absolutely unable to pay for decent or wholesome lodging. One of them, a Professor at the Medical College, was driven to occupy with his family "two small rooms into which light is admitted through one window, which can scarcely be kept clean and are destitute of any approach to privacy." In a letter to Sir George Clerk, Frere writes (1864):—"Everything is at famine prices in Bombay just now. Mr. Meyers has just told me that with mutton at 2lbs. and beef 4lbs. the rupee, his family cannot always get meat; and while all in trade and professions are making fortunes, our Government servants, even of his class, are pinched for food. We write all this to Simla, and might, as far as I can judge, as well write it to Pekin—" (Life of Sir B. Frere, Vol. II).

[2] Sir B. Frere forbade Civil servants to indulge in speculation in a special minute and refused to promote those who transgressed the order.



VIEW OF BACK BAY. Circa 1860.

shipping and iron shipping Companies were started to make Bombay merchants independent of English ship-owners, and the shares of the former company went to nearly 200 per cent. premium and were retained at that rate, the promoters being men who were reputed to have made millions in cotton and who had already secured public confidence by the successful manner of their launching of the Asiatic Bank. Then came the year 1864, when the prospect of the conclusion of the American war seemed, thanks to the genius of Lee and the stubborn valour of his soldiers, to be further off than ever. No bounds therefore, it was assumed, could be set to the flowing tide of Bombay's prosperity, and everyone hastened to plunge in and let himself be borne upwards to fame and fortune. It is literally the case that in 1864 banks were brought out by the dozen and financial associations, a new engine for the promotion of speculation, by the score. The first, afterwards known as "the old" Financial Association, appeared in June and had its shares run up to nearly 100 per cent. premium on the nominal capital of Rs. 400 per share, while only Rs. 100 had been paid up and no business done. The lucky receiver of an original allotment could therefore make about £40 on each £10 share, without putting himself to any immediate trouble beyond that of signing his name. It is needless to say that there was a frantic rush for shares; and that soon the newspapers were crammed with announcements of new financial associations. But all other speculation was dwarfed by the magnitude of the Back Bay Reclamation project, which was designed in the first place to provide the land on the shore of Back Bay along which the B. B. & C. I. Railway now runs, and afterwards to use the residue of the ground reclaimed for the purpose of providing sites for marine residences. The value of land had been trebled and quadrupled in Bombay, the population was daily increasing in numbers, and as the available space within the island was very little, every additional foot tacked on seemed likely to be worth its weight in gold. Fierce opposition was made to the grant to a private company of so valu-

able a concession ; and the Bombay Government, which had determined to make something for itself out of the rage for speculation by taking a number of Back Bay shares, was forced by the Government of India to abandon such a partnership. The astute promoters of the company then sold these shares by public auction, the brokers ran them up to Rs. 25,000 a share on Rs. 4,000 paid up, or more than 600 per cent., and this sale may be said to have sent the city quite mad.[1]

A share list published on the 31st December 1864 shows that at that date there were in existence 31 banks, 16 financial associations, 8 land companies, 16 press companies, 10 shipping companies, 20 insurance companies against 10 in 1855, 62 joint stock companies where in 1855 none had existed. The Back Bay Company's transactions had proved too great a temptation for the merchants of Bombay and the chance of making 600 per cent. on one's money was too strong to be resisted. "Were there not other sites as valuable as the barren sands of Back Bay? Were there not the flats to be filled up and built over, the pleasant slopes of Trombay to be covered with country-houses, to which the weary speculators of Bombay might retire every evening by means of a branch railway crossing reclaimed ground at the northern end of the harbour? Were there not banks of mud at Mazagon and Sewri which could be converted into docks and wharves to accommodate the ever-expanding trade of the greatest port in Asia? To crown all, when Bombay and the islands in the harbour had been exhausted, and even the most keen-eyed speculator might have looked in vain for a square foot of muddy foreshore not yet appropriated by a local land company, a new plague fell upon the city in the shape of an importation from Calcutta of certain public-spirited promoters who were anxious to point out to Bombay capitalists what a splendid field for investment was offered to them by the swamp known as Port Canning near Calcutta. The bait took and early in 1865 the Port Canning Company appeared before the public with a list of influential Directors that

[1] Martineau's Life of Sir B. Frere, Vol. II.

was alone sufficient to send the shares up to several hundred per cent. premium. This was the climax. It was impossible to surpass the Port Canning Company; and in the spring of 1865 a sudden end was put to further speculation by a telegram announcing the surrender of Lee's army and the termination of the war in America.

Then the reaction set in. The price of Dhollera cotton in the Liverpool market, which at the beginning of the year had been 19½ pence per pound fell to 11 pence before the end of April; and as it was evident that in the natural course of things there must be a further heavy fall, the prices of all securities gave way in sympathy with cotton. Men who had been trading or speculating beyond their means found themselves unable to meet their engagements; a leading firm of Parsi merchants set the example by failing for 3 millions; and a panic ensued which baffles description. Every one soon discovered that the nominal capital of the numerous companies in existence only represented so much paper money; that a few shrewd men had first started banks and run up the shares to a premium, and then obligingly started "Financials" to lend money to other people to buy these shares from them. The banks again had been able to do no business beyond advancing money on the shares of land companies brought into being by the financial associations; and so the whole show of wealth of these various establishments had depended on nothing but dealing in one another's shares. When the crash came, there was nothing to meet it but paper, and the whole elaborate edifice of speculation toppled down like a house of cards. The shares of land companies might have been supposed to represent valuable property; but the fall in cotton was followed by a depreciation in land which brought down shares from 500 or 600 per cent. premium to a discount. The scales fell from the eyes of the public and they saw the worthlessness of the properties they had bought under the influence of a strong delusion. A wild rally made at the end of 1865, when the price of cotton was temporarily forced up again—reaching in December 17¾ pence a pound—was quickly followed by a relapse and

by the terrible commercial crisis of the spring of 1866 in England ; and then the panic at Bombay set in with renewed intensity. Finally the master-spirits of the speculative era were themselves pressed hard, and in their fall they brought down institutions whose credit had been deemed beyond suspicion. By the end of 1866 every one of the financial associations had failed and gone into liquidation ; all the banks, with the exception of the Oriental, the Chartered Mercantile, the Chartered, the French Bank, and one or two others, which had not their head-quarters in Bombay, had also been swept out of existence ; and not a land company remained that was not insolvent, with the exception of the old Colaba Company and the Elphinstone Company. The latter had done good work and possessed a valuable property ; and it was able to keep on its way for some years till a sympathetic Government relieved it of anxiety by buying all its shares at par. The collapse of the Bank of Bombay created much scandal in India and in England ; and the causes of it were investigated by a Royal Commission and discussed two or three times in Parliament. The disasters that befell the surface of society formed but a fraction of the misery occasioned by the failure of the leading merchants and firms. The impossibility of realising land assets for cash and distributing the proceeds gave rise to a wide-spread undercurrent of distress, blighting careers once promising and condemning many lives to a hopeless and degrading bondage. By the close of 1867 the panic had subsided, and commercial affairs which fortunately suffered no permanent injury from the wild excesses of these five years commenced to regain a normal aspect. Moreover, the future financial independence of Bombay was placed in its own keeping by the opening in 1868 of a new Bank of Bombay, which was to form "an impregnable centre of commercial stability." The new Bank, as the Contemporary Press remarked, had the strongest negative guarantee for safety in the history of the four years' downfall of the old Bank.

The Share Mania by good fortune did no permanent injury to the trade of Bombay ; while it, at the same



BAZAAR GATE. 1864.

time, was responsible for improvements which might reasonably have taken many years to introduce. At the outset when the piles of gold commenced to stream into the City, the public mind was directed towards improvements that might render the island more spacious and more wholesome ; and at the head of the Government was just the one man who could stimulate the public desire and guide it by zeal and enthusiasm to a practical issue. "The old town of Bombay was ill-built, ill-drained, or rather not drained at all, very dirty and very unhealthy. Land for building was urgently required by the rapidly increasing population, and space for more airy streets and houses. * * * * Frere was a keen and ardent sanitary reformer, abreast of all the latest knowledge on the subject. He had obtained a report on the condition of the City from Dr. Leith, President of the Bombay Sanitary Commission ; and he called to his assistance Dr. Hewlett, then recently returned from England, where he had been making a special study of sanitation." [1] It was Sir Bartle Frere who was mainly responsible for the final orders of 1862 for the removal of obsolete fortifications and useless public buildings and of the old ramparts of Bombay which were not only useless for purposes of defence but occupied a large space between the busiest portions of the town. The high walls interfered with the circulation of air, and the ditches contained foul and stagnant water, which was responsible for a considerable amount of disease. Accordingly, under the Governor's auspices, the walls were levelled, and the old Fort, which had frowned upon the Malabar pirate and had watched the Company's fleet sail forth to punish Angria, disappeared for ever.[2] The space, thus set free, was partly laid out in roads, open spaces and public buildings ; and the remainder, comprising a considerable area, was sold under conditions arranged so as to secure the interests of the public and for a sum which was sufficient to cover the whole expense of the work done.

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[1] Life of Sir B. Frere, Vol. II

[2] The only remnant of the Fort now in existence is the modern Arsenal or "Black Fort".

The task of driving back the ocean was also undertaken. "The traveller landing at Apollo Bandar about the year 1855", writes Maclean, "would have found a foul and hideous foreshore from the Fort to Sewri on the east, from Apollo Bandar round Colaba and Back Bay to the west. All round the island of Bombay was one foul cesspool, sewers discharging on the sand, rocks only used for the purposes of nature. To ride home to Malabar Hill along the sands of Back Bay was to encounter sights and odours too horrible to describe, to leap four sewers whose gaping mouths discharged deep black streams across your path, to be impeded as you neared Chaupati by boats and nets and stacks of firewood, and to be choked by the fumes from the open burning-ghat, and many an ancient and fish-like smell. To travel by rail from Bori Bandar to Byculla or to go into Mody Bay was to see in the foreshore the latrine of the whole population of the Native town." Of the wealth which found its way into Bombay subsequent to 1860, about six million pounds sterling was devoted to regulating and advancing into the sea below low-water mark the whole of the Island's foreshore. Handsome works were carried out on either side of the Apollo Bandar, extending south westward almost to Colaba Church and stretching from the Custom House to Sewri along Mody Bay and the Elphinstone, Mazagon, Tank Bandar and Frere reclamations—a distance of at least five miles. On the other side of the island was the great Back Bay reclamation from Colaba to the foot of Malabar Hill, whereon was constructed a good road and bridle-path. The area thus reclaimed amounted to more than 4,000,000 square yards, and resulted by 1872 in an increase of the area of the whole Island from 18 to 22 square miles.[1] Simultaneously much energy was displayed in the construction of new roads and the widening of old tracks, among the chief works of this nature being the widening and rebuilding of the Colaba Causeway in 1861-63, the commencement of the Esplanade, Rampart Row and Hornby Roads, the widening of Cruickshank and Carnac Roads in 1865 and

[1] Hewlett's Health Report, 1872.

1866, and the completion of the Carnac, Masjid and Elphinstone overbridges in 1867.[1]

More striking than new reclamation and communications were the great buildings and architectural adornments of the city which were projected and commenced during Sir Bartle Frere's tenure of office. The embellishment of Bombay was carried out by both Government and private citizens, both equally actuated by the spirit of the age, which demanded that some part of the newly acquired wealth should be allocated to the permanent advantage of the city. "It should never be forgotten," writes Maclean, "that the splendour of the public buildings and useful and benevolent institutions of new Bombay is due to the munificence of the speculators of 1861-65." Thus Mr. Premchand Raichand, "the uncrowned king of Bombay" in those days of financial delirium, gave four lakhs for the building of an University Library building and a tower, to be named after his mother, the Rajabai Tower; the Jamsetji Jijibhoy School of Art came into existence; forty drinking fountains were by the liberality of Mr. Cowasji Jehangir erected in various quarters of the city; the Parsi community opened an Opthalmic hospital and a hospital at Colaba; a hospital for incurables was established at Byculla; and subscriptions were readily offered for the Victoria and Albert Museum and the Sassoon Mechanics' Institute. Public companies also played their part in the general progress of improvements. The Railway Companies opened new and extensive workshops at Parel; the Gas Company laid down their plant in 1862 and lighted a portion of the town with gas for the first time in October, 1866; and the P. and O. Company commenced the conversion of the old Mazagon dock into the largest and most perfect timber-slip in Bombay. Lastly may be mentioned the Elphinstone Circle, the scheme for which originated with Charles Forjett, was sanctioned by Sir George Clerk and was completed during his successor's tenure of office. The site of this imposing collection of buildings—the old Bombay Green, was purchased by the Municipality and resold by them at a

[1] Edwardes' Rise of Bombay.

profit in building lots to English mercantile firms, who gradually transformed the dusty open space, inhabited for the most part by crowds of pigeons, into an imposing example of street architecture. The suggestion that the circle should bear the name of Lord Elphinstone emanated from the firms concerned in the building thereof, who held a public meeting in 1862 at the office of Messrs. Ritchie, Stuart and Co. The proposal, testifying to the support which Lord Elphinstone had accorded to the scheme in its infancy, was approved by Government, and under the name of the Elphinstone Circle one more striking improvement was added to the list of those executed during this period."[1]

On the one hand, therefore, were private individuals and public firms, working during these years with one fixed idea of improving and enlarging the city, to which their several destinies had driven them. On the other hand were Sir Bartle Frere and his Government, actuated no less keenly by the same wish. "As lands for building purposes were very much needed," writes Sir Richard Temple, "and would command a high price, a project was formed for throwing down the walls of the Fort, taking up a portion of the plain, and making allotments of ground available for building. Sir Bartle Frere took up this project with his accustomed zeal, and obtained large sums in purchase money from those who bid for the allotments. The means thus acquired, together with grants from the Government, were collected and formed into a special fund for the construction of public offices and buildings for Bombay. The formation and management of this fund caused much correspondence with the Government of India; but the scheme held good and was duly carried into effect. Previously these buildings had been found unsuitable for the growing needs of a capital city, being cramped in space, badly situated and imperfectly ventilated; they were erected at a time when civilization was but little advanced in the settlements of the East India Company, and when architectural taste was almost unknown in British India. The opportunity was to be

[1] Mr. James Scott was the architect of the Circle.



VIEW OF ESPLANADE AND OUTER CHURCH GATE. 1864.

taken of giving Bombay a series of structures worthy of her wealth, her populousness, and her geographical situation. The designs were to be of the highest character architecurally ; therefore architects were obtained from England to frame them elaborately ; and due thought was given to artistic effect. The operations were planned deliberately and were begun while Frere was still in Bombay. Their completion was arranged by his successors very much on the lines which he had laid down. They comprise the Government Secretariat, the University Library, the Convocation Hall, the High Court, the Telegraph Department, the Post Office, all in one grand line facing the sea. Other buildings in a similar style were built in other parts of the city, such as the Elphinstone College, the Victoria Museum, the Elphinstone High School, the School of Art, the Gokuldas Hospital, the Sailor's Home and others. Few cities in the world can show a finer series of structures ; and those who admire the buildings after the lapse of fifteen years from the beginning of the work, may well be reminded that it is to Sir Bartle Frere that Bombay owes the origination and inception of this comprehensive project. It would be a mistake to attribute too much to individual Governors ; for when work is demanded by the spirit of the age, it will be done in some shape or other, whoever may be in power. But in justice it must be said, that Frere deserves the lion's share in the credit of this undertaking, and that without him the work would never have reached that magnitude which is now beheld by all English spectators with a feeling of national pride." In addition to the great buildings mentioned by Sir Richard Temple, we read of improvements to the Cathedral, new Police Courts in Byculla and the Fort, the expenditure necessary for which was sanctioned by Government in 1866 ; of new light-houses on Kennery and the Prongs ; of Harbour defences, batteries at Oyster Rock, Cross island and middle ground ; of a Wellington Memorial Fountain ; and of a European General Hospital ; and many other works of utility and adornment. "Upwards of a million sterling," says the *Bombay Builder* of 1866-67, "has already been expended upon the various works which

have been undertaken by this Government in Bombay; and about a million and-a-quarter is the estimated cost of completing works already in progress. Two millions more will be required for projected works, including the military cantonment at Colaba. More has been done for the advancement of important works during the present than during any previous administration. The works of progress that remain are blessings to Bombay; those that have miscarried are landmarks to guide the coming administration; and those that are retarded belong more to the financial policy of the Goverment of India than to the policy of Sir Bartle Frere."

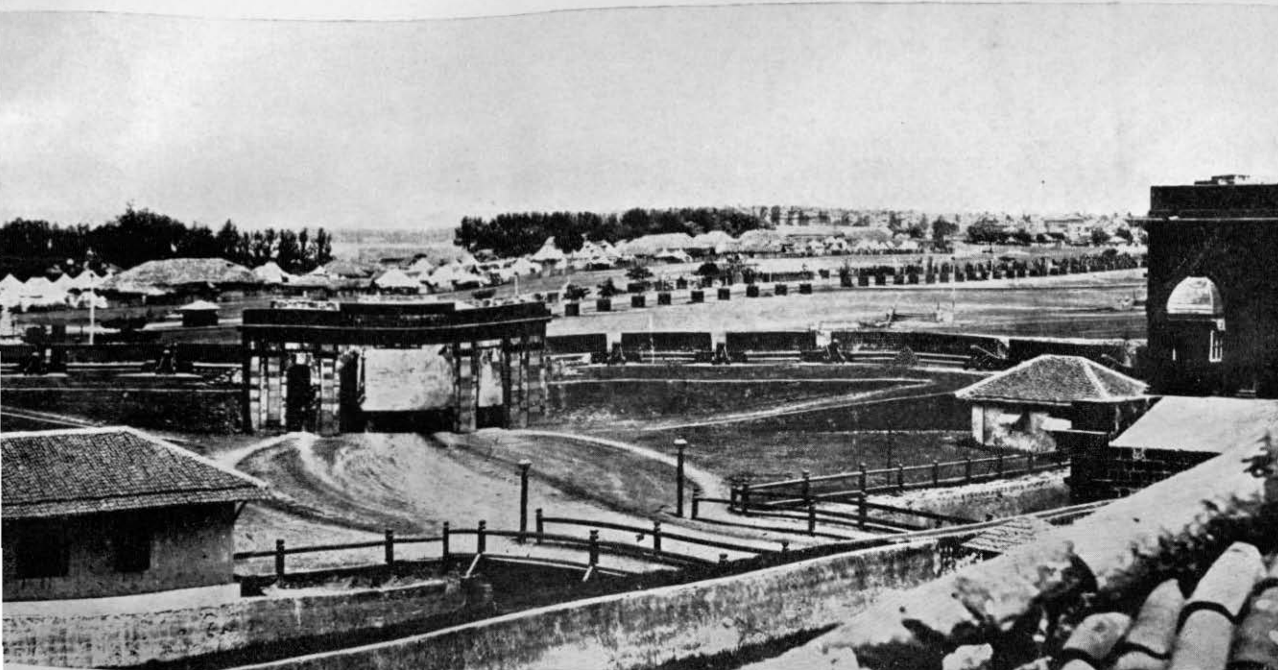
No retrospect of this important period would be complete without a reference to the change and growth of Municipal Government, which was necessitated in the first instance by the increase of the city and of its population. Sir Bartle Frere, in a speech delivered at the laying of the foundation-stone of the Elphinstone Circle in October 1864, remarked that "the three great objects which Lord Elphinstone had ever kept in view were, firstly, the water-supply of the city; secondly, the efficient drainage of the whole town and island; and, lastly, the reclamation of the Flats." The first object had already been brought to a practical issue by the construction of the Vehar Lake; but by the time Sir Bartle Frere took up the reins of Government, the triumvirate of Municipal Commissioners, appointed by the Act of 1858, had effected little or nothing towards the consummation of the two latter desiderata. Moreover, the administration of 1858 had not met with the favour of the public, and was not so constituted as to be able to effect the radical improvements in conservancy and communications which were demanded by the spirit of those years. One of the most notable features, therefore, of Sir Bartle's administration was the abolition of the old triumvirate and the passing of Act II of 1865, whereby the Justices for the Town and Island of Bombay were created a body corporate, and entire executive power and responsibility was vested in a Commissioner, appointed by Government for a term of three years. A contemporary writer, in reviewing the events connected with the name

of Sir Bartle Frere, remarked that "this Act at first sight appears quite unconnected with the building or improvement question, with which we now have to deal. But when it is remembered that the large revenues of the Municipality will come in part to be expended on works of public utility in coming years, and that the Municipal credit will be pledged for carrying out vast and costly undertakings, our readers will confess that in the passing of the Municipal Act a rich vein of progress and development has been struck, which will yet in point of magnitude of operation and success distance even the efforts of Government and of public companies." The new system was unfortunately marred by one flaw, which eventually led in the closing year of the period under review to its discontinuation, and to the passing of a new Municipal Bill. Municipal Administration, as has been remarked, was conducted by a Commissioner and the Bench of Justices; but the powers of the Commissioner were so extensive that he was practically irresponsible; and, in an age so fertile of great and costly works, he was open to a temptation to spend the money of the ratepayers in a far too lavish manner. Had there only existed some constitutional check upon his powers and inclinations, the Municipal system of 1865 might have lasted beyond 1872. But, as the Act contemplated no such check, costly works were set on foot, necessitating the disbursement of such immense sums, that something akin to a popular revolution took place in 1871, and Government felt itself compelled to create a new Municipality, in which the ratepayers themselves should, by their representatives, have an authoritative voice. The first real experiment, for as such it has always been regarded, in Municipal Government in India was made by the Municipal Bill which passed the Legislative Council of Bombay, and received the sanction of the Government of India in 1872. The first Municipal elections were held in the month of July 1873; and there came into existence from that date a Municipal Corporation, consisting of 64 persons, all of them ratepayers resident in the City of Bombay, of whom 16 were nominated by Government, 16 were elected by the

Justices of the Peace resident in the island, and 32 were elected by the ratepayers.

Short as was the period, during which the Municipal constitution of 1865 lasted, considerable progress was made in sanitation and communications. An efficient Health Department was organised, and came into existence on November 1st, 1865, which at once directed its attention to drainage, to the condition of burial grounds and to the presence of dangerous and offensive trades.[1] The drainage question had for many years troubled the minds of those responsible for the welfare of the Island. As early as 1863, journalism broke into a pæan of praise over the prospect of such a reform, declaring that "Bombay is to be drained at last;" that "the Municipal Commissioners have taken steps for breaking ground at once in the Fort; and in a fortnight or so, we may expect to see the beginning of the greatest sanitary reform, that can possibly be introduced, applied to Bombay." The unfortunate triumvirate was unequal to the task. Though the work was commenced in 1864, the feebleness of the old Commission militated against a satisfactory issue thereof; and, in the meantime, the public had discovered that the most vital point connected with thorough drainage—namely, the location of the sewage outfall—was still undecided. The importance of deciding this question was put forward in 1865 by a special committee, appointed to deal with the drainage of the Flats, and it was not till after the Municipality of 1865 had been constituted that any definite advance in sanitary engineering was recorded. The Municipal Commissioner also turned his attention to the crying-need of well-conducted markets and slaughter-houses, the best-known of those erected prior to 1870 being the Arthur Crawford markets which have been described as "the noblest and most useful of all the public improvements executed in Bombay, and as forming a grand monument to the energy and administrative capacity of the gentleman whose name they bear, and who was Municipal Commissioner of Bombay from July 1865 till

[1] *See* for details Edwardes' Rise of Bombay.



OUTER CHURCH GATE. 1864.



INNER CHURCH GATE. 1864.

November 1871" The increase of the Vehar water-supply, the initiation of the Tulsi water works, and the reclamation of the Flats with town-sweepings were further measures of utility introduced prior to 1872.

The birth of Bombay as a populous and beautiful city is ascribable, therefore, to the joint labours of Government, the Municipality, private firms and public-spirited citizens, who strove in their several spheres to render the once "inconsiderable Island" worthy of her position as one of the outposts of a wide Empire.[1] At the same time it must be remembered that the decade 1860—70 was responsible for the introduction of those conditions of urban life which have rendered the city a hot-bed of disease, and have necessitated the creation by a later generation of a special board, charged with the relief of overcrowding and the sanitary regeneration of the island. The evils arising from an unprecedented influx of population and the absence of any Act to regulate building and obviate overcrowding were clearly portrayed in the report of the Health Officer in 1872, whose description of the city proper forms a startling contrast to the agreeable account recorded by Maclean of the more salient features of the island. The death-rate in the Market section was unusually high in consequence of the condition of the houses in that locality; land in the Mandvi section was so valuable that the houses were built very high, the streets were narrow, and the people overcrowded, while the imperfect drains were often choked. Chakla was full of dark and ill-ventilated milch cattle-stables. Naoroji Hill had already been mined by its owner "who let out plots of land to persons to build as they pleased, without any definite plan to ensure breadth of streets and ventilation of houses. In the heart of Dhobi Talao was "the dirty irregular labyrinth of Cavel. Vehicles can only pass a very short distance into it, and

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1 Nothing testifies more clearly to the growth of Bombay at this period than the changes in the nomenclature of the official divisions of the island. In 1864 Government divided the island into 11 main areas; in 1865 the Municipality formulated a new scheme of wards; and by 1872 these had again to be ...

one of the principal thoroughfares thither is through a liquor-shop in Girgaum road " Phanaswadi was honeycombed with sewers; Bhuleshwar contained "the indescribably filthy quarters of the milk-sellers known as Goghari"; while Kumbharwada ranked as "a shamefully neglected district, where the inhabitants sleep in atmosphere tainted with sulphurated hydrogen." Khetwadi was being rapidly covered with houses notwithstanding that during the monsoon the storm-water from the Falkland road main drain was ponded up in the Khetwadi Back road to a depth of three or four feet. Chaupati and Girgaum were full of cesspools; the state of Malabar Hill was such as to cause grave anxiety to the guardians of the public health. Tardeo was begining to attract so many people to its mills that a properly laid out village for mill-employés appeared desirable. Khara Talao possessed many houses in which it was essential to carry a light by day; the villages of Sindulpada, Agripada and Julhaipada were well nigh untraversable owing to the presence of an open drain; the thickly populated villages and hamlets of Parel were wholly undrained. The condition of Mazagon and Sewri was more satisfactory. The former, however, still lacked a road across the waste ground reclaimed by the Elphinstone Company, which separated it from the Fort on one side and the native town on the other. The foreshore of Sewri had been vastly improved by the Frere reclamation, but the section was handicapped, from a sanitary point of view, by the detached hamlets of Ghorupdeo and Jackeria Bandar in which dwelt the labourers and quarrymen of that time. Mahim was, as now, covered with thick cocoanut plantations and formed an agreeable resort during the morning or evening hours.

Of social events which occurred during this decade one may remark the rejoicings of the 1st May 1863 on the occasion of the marriage of the Prince of Wales, when the entire town was decorated and a huge children's fete was held on the Esplanade. This was followed by the visit of H. R. H. the Duke of Edinburgh on the 11th March 1870, in commemoration of which H. H. Khande Rao, Gaekwar of Baroda, gave a munifi-

cent donation for the new Sailors' Home, and by the visit of Lord Northbrook, the Viceroy, in November 1872, who held a huge Darbar of Native Princes in a *shamiana* on the Esplanade and in whose honour the Northbrook Gardens in Grant Road were thrown open to the public. Improved communications by sea not only brought Bombay into contact with notabilities of the western world, such as Livingstone the explorer who sailed from Bombay for Africa in January 1866, but also inculcated a desire for travel in the minds of the Natives of India. Members of the Vani community began about this date to visit England in the interests of commerce, while several Khojas, Bohras and Marwadis, overcoming their inherited prejudices against foreign travel, set out for China.

The enormous increase of population engendered by the Share Mania of 1861—65, which led Sir Bartle Frere to order a census to be taken in 1864 in face of the opposition of the Home Government,[1] naturally introduced fresh problems into the police administration of the city and for the first time brought the guardians of law and order face to face with the difficulties attendant upon the presence of a large and fanatical Eastern population. Both in 1872 and 1874 the orderly course of urban life was broken by riots of a serious character. The Muharram celebration of the former year formed the signal for a violent outburst of antagonism between the Sunni and Shia Muhammadans of the city, which was admirably held in check by the police under Mr. Frank Souter, but not before about sixty persons had sustained more or less severe injuries; while about a month later a somewhat serious fracas occurred outside the gates of the Towers of Silence on Gibbs Road between two factions of the Parsi community.[2] But these outbreaks were almost trivial by comparison with the Parsi-Muhammadans riots of February 1874, which were caused by a scurrilous attack upon the

[1] Life of Sir B. Frere, Vol. I.—Frere felt so strongly that a correct estimate of the population was a necessary preliminary to extensive building and drainage operations that he carried out the census in spite of a direct mandate from the India Office negativing his proposal.

[2] Times of India, 1872.

Prophet written and published by a Parsi resident. Shortly after 10 a.m. on the morning of the 13th February a mob of rough Muhammadans collected outside the Jama Masjid and thence, after hearing the exhortations of the Mulla, began attacking the houses of the Parsi residents in the neighbourhood. Two fire-temples were broken open and subjected to desecration by a band of Sidis, Arabs and Pathans, who next proceeded to loot and damage every Parsi residence in the street and to attack with sticks and stones any stray Parsi whom they met. On the arrival of the police, the mob gradually dispersed, leaving about seventy of their number in custody, but, not before considerable damage to person and property had been perpetrated in Bhendi Bazaar, Khetwadi and parts of the Dhobi Talao section. The chief feature of the riot was the refusal of the Governor, Sir Philip Wodehouse, to call out the troops until the police were breaking down, in spite of urgent appeals from the leaders of the Parsi community. Sir Philip believed his powers in this matter to be restricted, but was subsequently informed by Lord Salisbury that extreme constitutional theories could not be safely imported into India and that therefore troops might be legitimately used to render a riot impossible.[1]

The year 1870 was remarkable for the formation of the Bombay Port Trust, though the Board of Trustees was not actually appointed till June 1873. The decision to constitute a Board originated in an apprehension on the part of Government that trade-interests were seriously endangered by the possession by private companies of a monopoly of the landing and shipping facilities at the port, the salient case being that of the Elphinstone Land Company, mentioned above, which had been granted extensive rights of reclamation on the eastern foreshore of the island in return for its undertaking to provide land for the terminus of the G. I. P. Railway Company. The Company did very good work between 1862 and 1866, but, like all other firms in Bombay, suffered considerable loss

[1] The Annual Register, 1874; Letter of 9th July 1874 from Lord Salisbury to the Governor-General in Council, Times of India, February 14, 1874.

when the Share Mania declined; and in 1866-67 its finances had sunk so low that it was forced to apply to Government for assistance. At this juncture (1867) the Government of Sir Seymour Fitzgerald strongly urged upon the Government of India the importance of buying out the company, thus regaining possession of the harbour foreshore, and of placing the future administration of the harbour and wharves in the hands of a public Trust. This proposal was sanctioned by the Secretary of State in 1869 and the Company went into voluntary liquidation in the following year, their property being transferred to the Secretary of State in consideration of the payment of the purchase money in 4°/. Government of India stock. With effect from the date of purchase, May 1st, 1870, the whole of the property of the Company was managed by a department of Government in anticipation of the formation of the new Port Trust.[1]

In November 1875 H. R. H the Prince of Wales, the present King-Emperor, landed in Bombay at the outset of his Indian tour, and was received with universal expressions of loyalty and good-will, and two years later (1st January 1877) Her Majesty Queen Victoria assumed the title of Empress of India. Bombay was en fête that day. The seamen of the Royal Navy and the mercantile marine were feasted in the Sailors' Home, the military and naval pensioners were fêted in the old Sailors' Home; after which, Her Majesty's Proclamation was publicly read out before the troops and the people in front of the Queen's Statue on the Esplanade. The day concluded with illuminations and with the despatch of congratulatory addresses to Her Majesty from the leading communities of the city.[2] Equally spontaneous expressions of loyalty characterized the arrival of the Duke and Duchess of Connaught in 1883, the Jubilee celebration of February 16th, 1887, and the visit of the late Duke of Clarence and Avondale in 1889.[3]

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1 Sir R. Temple's Men and Events of my Time in India.

2 Times of India, 1st January 1877.

3 In 1890 Bombay also had the honour of welcoming the Czarevitch of Russia and Prince George of Greece.

Meanwhile the two great Railway companies threw out fresh lines and linked themselves with more remote railroads, until the island became the central terminus of a series of arterial railways, radiating in various directions across the continent of India. Communication by sea became yet more regular, to the advantage of the inhabitants of the coast-villages who thereby were brought into even closer touch with the life of the city. Trade rapidly increased and with it the demand for labour, which was responsible for an enormous increase of the Maratha population by the year 1882. "Bombay," said the members of the Municipal Corporation in their address of 1875 to the Prince of Wales, "may lay claim to the distinction of being a Royal City; for this Island first became an appanage of the Crown of England through forming part of the Dowry of Charles the Second's Portuguese bride; and during the two centuries that have elapsed since then, Bombay has had every reason to be grateful for this fortunate change in her destiny. From a barren rock, whose only wealth consisted in cocoanuts and dried fish, whose scanty population of 10,000 souls paid a total revenue to the State of not more than £6,000 a year, whose trade was of less value than that of Thana and Bassein, and whose climate was so deadly to Europeans that two monsoons were said to be the age of a man, she has blossomed into a fair and wholesome city, with a population which makes her rank next to London among the cities of the British Empire, with a municipal revenue amounting to £30 000 a year, and with a foreign commerce worth forty-five millions and yielding in customs-duties to the Imperial treasury three millions a year." The mill-industry throve apace during these years. In 1870 there were only 10 mills on the island; in 1875 when the Millowners' Association was first established there were 27; in 1880, 32; and in 1890, 70 mills. The foundation of each new mill or new press, the opening of each new spinning or weaving department augmented the numbers of the industrial population, so that by the time the census of 1881 was taken, 8·4 per cent. of the total labouring population were classed as mill-workers. Meanwhile build-

ing-operations and reclamations were steadily progressing. Three hundred new houses were yearly constructed in different parts of the city; new police-stations were erected at Paidhoni and Bazaar Gate between 1871 and 1881; churches, temples and mosques sprang into existence, and new water-works were projected to supply the rapidly growing needs of the city.

"The Vehar Lake" writes Sir Richard Temple,[1] "was found insufficient for the growing community, and the formation of an additional lake was undertaken in the time of my predecessors. The work was completed in my time and water was conducted to a higher level than before." The Tulsi water works were completed in 1879; but even they failed adequately to supply the whole city. Accordingly in 1884 the Bhandarwada and Malabar Hill reservoirs were constructed, and in 1889-90 Mr. Tomlinson's scheme for works in the Pawai Valley was put into execution. But these improvements were of minor importance compared with the great Tansa water works which were commenced about 1885. Sir William Hunter[2] characterizing the project as the most important undertaking of the years 1885 to 1890 observes that "the city was and is for the present supplied with water from the Vehar and Tulsi lakes. But the growth of population has been so rapid that the supplies from these sources, though comparatively recently provided, soon proved inadequate. The Municipality therefore decided, on the 19th November 1885, to adopt a magnificent project that will provide the city with an inexhaustible water-supply. The scheme when carried out will afford another splendid proof of the public spirit of the citizens of Bombay and the skill of English Engineers." The Tansa works were finally opened in the year 1891-92 by the Marquis of Lansdowne who, referring to the magnitude of the achievement, congratulated Bombay upon the true measure of municipal self-government which she had been the first among all cities in India to introduce.

Another great work was the construction of the Prince's Dock, the first stone of which was laid by the

1 Sir. R. Temple's Men and Events of My Time in India.

2 Bombay, 1885-90, by Sir W. W. Hunter.

Prince of Wales in 1875. It was designed by Thomas Ormiston as part of a scheme for improving the whole foreshore of the harbour, and was finally opened on the 1st January 1880, the earth which had been excavated during the process from an area of 30 acres being applied to the further reclamation of the Mody Bay foreshore. Land reclamation was also steadily progressing. Fifty acres of swamp at Sion and Kurla were reclaimed with town-sweeping and converted into a garden; a part of the foreshore near "the Wilderness" was reclaimed by a member of the Petit family; the Flats near Tardeo were being rapidly filled up by the Municipality; and a considerable area near Arthur Road was rendered fit for building operations. Tramway communication was instituted between 1872 and 1877. Some attempt at this form of communication had already been made in Colaba in earlier years, but a properly organised system was not projected till the date of Sir Philip Wodehouse's administration. By 1880 the Company's line had reached from the Fort to Girgaum, Byculla and Grant Road. Throughout this period also the Municipality was actively engaged in widening old streets, opening new roads, setting aside new sites for burial-grounds, extending the lighting of the city and opening public gardens, such as the Victoria Gardens opened in 1873 and the Northbrook Gardens opened in 1874. Systematic drainage of the island was also taken in hand. "Much had already been done," wrote Sir Richard Temple in 1882, "at great cost and labour for the drainage of the city. Still a mass of sewage entered the harbour to the great detriment of all concerned. So additional drainage works were undertaken for diverting the sewage to a quarter where it would not be hurtful." A comprehensive scheme had been prepared by Mr. Pedder, the Municipal Commissioner, and Major Tulloch, R. E., and this was scrutinized and reported upon by a special Commission in 1878. As a result of the Commission's report the Municipal Corporation resolved in the same year to commence the scheme immediately and raised a loan of 27 lakhs for that purpose.

The progress of Bombay between 1870 and 1880 is summed up by Sir Richard Temple (1877-80) in the following words [1]:—"The City of Bombay itself with its vast and varied interests, and its fast growing importance, claimed constant attention. The police, under the able management of Sir Frank Souter, was a really efficient body and popular withal. The public structures, begun or designed under Sir Bartle Frere's administration, were advanced towards completion; and although these showed a goodly array, still not a year passed without several new buildings being undertaken, as the demands of an advancing community in a great seaport are incessant. The stream of native munificence continued to flow, though somewhat diminished in comparison with former times by reason of agricultural and commercial depression consequent on the famine. A marble statue of the Queen had been erected by the Native community on the Esplanade. Sir Albert Sassoon presented to the city a bronze equestrian statue of the Prince of Wales, in memory of the visit of His Royal Highness. The new Sailors' Home, built partly through the munificence of Khande Rao, Gaekwar of Baroda, in honour of the visit of His Royal Highness the Duke of Edinburgh had become a noble institution. The new Wet Dock, accommodating the largest ships, was named the Prince's Dock. because the first stone of it was laid by the Prince of Wales.

"The elective principle had been introduced into the Municipality of Bombay by Sir Seymour Fitzgerald and established by Sir Philip Wodehouse, and I found it to operate advantageously. The citizens and ratepayers exercised their franchise judiciously, electing good and able men, Europeans and Natives, to serve on the Municipal Corporation.

"The resources of Bombay were tested when in 1878 an expeditionary force was despatched to Malta. Within fourteen days after the receipt of orders from the Governor-General in Council (Lord Lytton), the Bombay Government, of which Sir Charles Staveley, then Com-

[1] Sir R. Temple's Men and Events of My Time in India.

mander-in-Chief, was a member, despatched 6,000 men and 2,000 horses, with two months' supplies of provisions and six weeks' supply of water. They all arrived at their destination in good condition, and after some months returned equally well; still the risks attending the navigation of the Red Sea, in sailing ships towed by steamers, caused us anxiety." [1]

The first decade of the period under review (1880-90), during which Sir James Fergusson and Lord Reay held the office of Governor in succession, was characterized by much activity in Municipal administration, by the further growth of the island trade and by large public benefactions. During Lord Reay's tenure of office a new Municipal Bill was passed, which not only served to consolidate the enactments of 1865, 1872 and 1878, but also introduced alterations designed to systematize the prosecution of drainage works and water works, the registration and assessment of properties, and the expansion of education. Street-widening and urban improvement were actively prosecuted during the decade, nearly a lakh of rupees being spent on the former object during the year 1889-90;[2] more than 12 lakhs were sanctioned by the Corporation in 1882 for the completion of a scheme of surface-drainage and storm-water drainage; the Matunga leper asylum was founded in 1890 chiefly through the exertion of Mr. H. A. Acworth, the then Municipal Commissioner; the Joint Schools Committee, which is charged with the task of educating the masses, came into existence; the Victoria Jubilee Technical Institute was founded in 1887; and much good work was accomplished in the matter of communications, the erection of hospitals, and the general sanitary administration of the city. But the improvement of Bombay was not permitted to devolve wholly upon the Municipality. In January 1888 Sir Dinsha Petit offered more than a lakh for the construction of a hospital

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1 Celerity in the despatch of expeditions has ever been a feature of the Bombay Dockyard and Marine, as for example in 1801 when Sir D. Baird started for Egypt and in . . . 1899 when men, horses and stores were shipped to South Africa with extraordinary despatch.

2 Edwardes' Rise of Bombay.

for women and children as an extension of the Jamsetji Jijibhoy Hospital; he founded a patho-bacteriological laboratory in connection with the Parel Veterinary College, and subscribed handsomely towards the foundation of a gymnastic institution; and he also presented Government with the property known as the Hydraulic Press, valued at 3 lakhs, in exchange for the Elphinstone College buildings which were converted into the Victoria Jubilee Technical Institute. Bai Motlibai, widow of Mr. Naoroji Wadia, founded an obstetric hospital in connection with the Sir J. J. Hospital; Mr. Framji D. Petit gave nearly a lakh of rupees towards the foundation of a Laboratory in the Grant Medical College; the Allbless family established an obstetric ward in the Cama Hospital and quarters for the lady doctors of the Cama Hospital; and Mr. S. C. Powalla founded a gratuitous charitable dispensary in the Fort. Besides donations for medical objects by Sir M. M. Bhownaggree, Mr. Cama and Mr. Dwarkadas Lallubhai, funds were provided by a Parsi lady for the establishment of an animal hospital at Parel which was opened by Lord Dufferin in 1884, an anglo-vernacular school for poor Parsis was opened with the help of Mr. Byramji Jijibhoy in 1890, and a handsome fountain was erected in Bazaar Gate street by a charitable Parsi to the memory of Bomanji H. Wadia.[1]

Among the institutions and landmarks of the island, which owe their existence to the action of the Bombay Government during these years, are the Victoria Terminus of the G. I. P. Railway[2] and the European Hospital, which was erected on the ruins of the old Fort St. George and to which Lord Reay, on laying the foundation-stone in February 1889, gave the name of St. George's Hospital. The Government Central Press building,

[1] Bombay, 1885–90, by Sir W. W. Hunter; Edwardes' Rise of Bombay.

[2] The Victoria Terminus, G. I. P. Railway, is situated on the original site of the old Mumbadevi temple near the *Phansi Talao* or Gibbet Pond. The old temple was removed by Government in 1760 to allow space for fresh fortifications, a new shrine being erected by a Sonar Pandurang Shivaji, in the city proper. The old gibbet remained till 1805, when it was re-erected close to the Umarkhadi Jail.

which subsequently became the Elphinstone College, and the Presidency Magistrate's Police Court on the Esplanade were also commenced during these years. Nor were the defences of the harbour forgotten. In 1884 the Press pointed out that they were practically useless, Colaba Battery being untenable, the turretships out of order, and the batteries at Middle Island, Cross Island, Malabar Hill and Breach Candy being wholly inefficient. In the following year a new scheme of defence was sanctioned and was carried into effect by the year 1890. The Port Trust, which, in spite of yearly reductions of dues, showed a steady surplus of revenue between 1880 and 1889, was responsible for the construction of a new light-house in 1884 and of the Victoria Dock, of which the first sluice was opened by Lady Reay in February 1888. The Merewether Graving Dock was subsequently projected and opened by the Governor in 1891.

With the exception possibly of the year 1889-90, the commercial prosperity of the island increased year by year and was referred to by Lord Reay in the following terms at the Jubilee celebrations of 1887. "The prosperity of Bombay," said His Excellency, "is one of the most remarkable events of the Victorian reign. Its internal appearance is as much changed as its external condition. It is one of the most beautiful towns of the Empire, if not of the world. Its sanitary condition is also vastly improved. Fifty years ago the exports amounted to nearly 60 millions of rupees and the imports to little more than 47. In 1885-86 the exports amounted to more than 419 millions and the imports to nearly 440 millions. In 1885-86 the value of cotton exported amounted to more than 84 millions of rupees, of pulse and grain to more than 43 millions. The Municipal income has risen from 18 to 42 lakhs. The Prince's Dock would do credit to any port in the world." The growth of the mill-industry during this decade was responsible for the further colonization of the northern areas of the island: and the industrial population which flocked from the Deccan and Konkan found work not only in the cotton-spinning factories but also in the flour-mills and workshops which sprang into existence at this date. Complaints regard-

ing the smoke-nuisance were for the first time brought forward in 1884; the Millowners' Association were reported in 1883 to be about to despatch travelling agents to open up new markets for Bombay piece-goods in Europe and Africa; and in 1890 a Factory Commission had perforce to be appointed for the regulation of female and child labour. A strike of female operatives in the Jubilee Mill was reported by the daily papers of 1890; a monster-meeting of mill-hands was convened at Parel in the same year to protest against the closing of factories for eight days in the month; and by 1890 the Tardeo, Parel, Byculla, Nagpada and Chinchpugli sections of the island had expanded by the forward march of industrial enterprise into the populous dwelling-places of a huge immigrant labour-population.

To one visiting Bombay after a long absence, the change in the appearance of the city must have seemed extraordinary. "Bombay of to-day" remarked Sir Edwin Arnold in 1886 "is hardly recognizable to one who knew the place in the time of the Mutiny and in those years which followed it. Augustus said of Rome, 'I found it mud; I leave it marble'; and the visitor to India after so long an absence as mine might justly exclaim, 'I left Bombay a town of warehouses and offices; I find now a city of parks and palaces.'" The expansion of the population went hand in hand with the growth and adornment of the island. All the tribes of Western India seemed to have flocked to Bombay like the Adriatic tribes who sought refuge in the city of the lagoons and settled in certain definite areas according to traditional belief, social instincts or tribal affinities. The Parsi sought the home of his ancestors in the Fort or Dhobi Talao; the Yogi and Sanyasi found a resting-place near the shrines of Lakshmi, Kali or the God of the Sand (Walkeshvar); the Goanese and Native Christian were never absent from Cavel, the old home of early converts to Roman Catholicism; the Julhai silk-weaver sought Madanpura; the grain-merchants were a power in Mandvi; the Bene-Israel owned their Samuel street and Israel mohołla; the dancing-girls drifted to Khetwadi and Byculla, "the scarlet woman" to

Kamathipura ; in the Nall Bazaar and Umarkhadi lived the Sidis ; in Parel, Nagpada and Byculla were mill-hands from the Konkan and labourers from the Deccan ; many a Koliwadi, from Colaba to Sion, sheltered the descendants of the aboriginal fishing-tribes of Bombay ; the Musalman was a power in Mandvi, Chakla and Umarkhadi ; the Arab haunted Byculla ; and in Girgaum the Brahman had made his home. This huge population of more than 800,000 lived in perfect contentment under the rule of perhaps the greatest monarch the world has ever known and contributed largely to establishing Bombay's position as the Gateway of India. "This great Empire" said Lord Reay in his speech of 1887 "was never more united than it is at this Jubilee ; but the maintenance of that union will require a continuous and united effort. It is a noble inheritance and the utmost sagacity and wisdom will be required to keep it unimpaired. With God's blessing vouchsafed as in the past it is possible. In an epoch when those who are least able to answer the question ask *cui bono* at every turn it was reserved to the Queen-Empress to make of the throne the institution which forms the chief link between England and the Colonies and India, where of all our institutions it is the one most revered and loved by the mass of the people. Institutions lose vitality or gain it, not so much by their intrinsic merits or demerits, as by the character of the persons who work them. The Queen not only leaves to her descendants a great empire, but the invaluable example of the means by which the throne can be endeared to subjects among whom we count every variety of creed and race."[1]

1891—1909. The history of the last few years has been overshadowed by the presence of the plague, which first appeared in 1896 in a chawl near the Masjid bridge and wrought the greatest havoc between that date and the opening of the 20th century. Yet in spite of the fact that repeated epidemics have seriously diminished the population, have engendered emigration from the city in some years

[1] Edwardes' Rise of Bombay, p. 328. For a brief account of Bombay in 1890 see Sir E. C. K. Ollivant's papers in the Transactions of the seventh International Congress (London, 1891).

on an unprecedented scale, and have on occasions affected very adversely the course of trade, the city has on the whole prospered and has found opportunity for advancing her position in the world's eye. The great Tansa Waterworks and two well-known hospitals were opened (1892) by the Marquis of Lansdowne before the scourge made its first appearance; the Archduke Ferdinand paid a visit to the city in 1893; technical schools and orphanages were opened and mills and factories increased in numbers before the close of the last century: while since that date an industrial and agricultural exhibition has (1904) been held upon the Oval; a great fancy fête was organized by Lady Northcote in aid of the Countess of Dufferin's fund; the Prince and Princess of Wales visited the city in November 1905; immense new dockworks have been projected and commenced, and many another project testifies to the recuperative power of the city and to the fact that the troubles which characterized the close of the 19th century have inflicted no permanent harm upon it.

The year 1897 may be said to have marked the zenith of Bombay's misfortunes. "It was one of sorrow, not for Bombay alone, but for the whole continent; and Sir Allan Arthur, speaking of the plague, famine, earthquake, cyclone, rioting, sedition and frontier warfare, which had darkened the political and financial horizon, characterized that year as the blackest in the whole history of India. In one week only of that year 10,000 persons fled from the island of Bombay; and the condition of the city seemed to approximate to that of Constantinople in the sixth century, when, according to Procopius, thousands of persons died within three months at the seat of Government. In 1898 occurred plague-riots and a strike of dock and railway labourers and cartmen, which produced a week's paralysis of trade. The early months of 1899 were marked by a fresh exodus of inhabitants; the death-rate of later months was augmented by an influx of famine-stricken and diseased paupers. Matters improved not at all in 1900 and 1901; for with the passing of the winter months the epidemic again swept through the city and the people fled from the

unseen death."[1] The mill-industry also suffered severely during the closing years of the 19th century. The year 1897 witnessed the wholesale flight of mill-operatives from the island, open bidding for labour at the street-corners, and the shattering of the tie hitherto binding the employer and the employed. And no sooner had this trouble been obviated in some degree by the growing confidence of the industrial population than the agents of the local industry had to face the inevitable consequences of over-production. Between 1891 and 1898 the total number of factories in the island rose considerably in spite of the belief that a fall in silver had exercised an adverse influence upon the trade and in spite of the fact that the China market—the chief outlet for Bombay's production—was being rapidly glutted. In 1899 the position of the industry was, in the words of the late Sir George Cotton, "most critical," and by the end of that year nearly all the mills were closed for three days out of the seven and some were wholly idle. The twentieth century has, however, witnessed a reversion of this order of things; the cotton-trade has shown marked signs of improvement and a considerable fillip to local weaving has been accorded by the *swadeshi* propaganda of Native politicians. At the present moment (1909) there are no grounds for despondency regarding the staple industry of the island.

From time to time the public sentiment has been stirred by events of a more fleeting but more sensational character. In April 1891 two young Parsi women were, so far as enquiry showed, thrown from the Rajabai Tower. On discovery one was found to be dead and the other so seriously injured that she died almost immediately. The Coroner's jury returned a verdict of "guilty of murder." A Parsi, who was subsequently tried by the Sessions Court, was acquitted by an unanimous verdict of a special jury. No further clue was ever obtained to a mystery which for some time exercised a marked effect upon the public mind.

On the 11th August 1893 a very serious Hindu-Muhammadan riot took place. Fears of an outbreak had been

[1] Edwardes' Rise of Bombay.

prevalent for a few weeks previously; and shortly after midday on the date mentioned a large concourse of Muhammadans issued from the Jama Masjid and with shouts of *Din Din* commenced to attack a Hindu temple in Hanuman lane. Within a very short time the whole of Parel, Kamathipura, Grant road, Chinchpugli, Mazagon and Tank Bandar were given over to mob-law. The tumult was enormous. Not only did the Musalmans attack all Hindus they met; but the latter retaliated and both sides rounded on the police. Sticks and stones were the only weapons employed by the rioters but they were used in many instances with murderous effect. About 4 p. m., two companies of the Marine Battalion arrived in the city at the demand of the Police Commissioner, and they were followed by the rest of the corps, by the 5th Native Infantry, by the European Regiment, a battery of Artillery and the Bombay Light Horse. The troops were posted in different parts of the disturbed area; but fighting still continued, and a detachment of the Native Infantry was so furiously attacked near the Sulliman chauki in Grant Road that it was forced to fire on the mob. Little care was taken by the Muhammadans to limit their aim to the enemies of the Faith, and passing tram-cars and conveyances were freely pelted irrespective of the race of the passengers. The crowds, raging from street to street, desecrated Hindu temples, broke the idols, and inflicted savage assaults on the Hindu population; the "chilli-chors" or bullock-reckla drivers stormed the Hindu quarter of Kumbharwada, and the Julhais attacked the Pardeshi milk-sellers and set fire to the buffalo-stables in Agripada. The rioting and looting continued on the 12th in all parts of the city, and casual assaults and murders took place also on the 13th August; but from the evening of that day tranquillity gradually supervened. The damage done to temples and mosques amounted to three-quarters of a lakh, exclusive of the value of property stolen, and eighty persons died as a result of injuries received during the rioting. About 1500 arrests were made by the police. One feature of the disturbance, which might have had a serious effect

upon the city's meat-supply, was the refusal of the Bandora butchers to slaughter any animals; but this danger was obviated by the prompt action of Mr. Douglas Bennett, Superintendent of the municipal markets. The main cause of the outbreak was the infection spread by riots which had broken out in other parts of India, particularly those at Prabhas Patan, and an uneasy feeling amongst Muhammadans that the followers of the Prophet were suffering at the hands of the Hindu population. An impression that their religion needed special protection and that the European system of administration tended to increase the influence of the Hindus at their expense seems to have been the predisposing cause of one of the worst outbreaks of violence ever known in Bombay.

The year 1898 witnessed another serious riot, which occurred on the 9th March and resulted from a sudden out break of hostility against the measures adopted by Government for the suppression of plague among one of the most ignorant and fanatical sections of the Musalman community. The trouble commenced with an attempt on the part of a plague-search party to remove a sufferer from the house of a Julhai in Ripon cross road. The Julhai community thereupon turned out armed with sticks and commenced to attack a body of police which had been sent to keep order and protect the authorities. The order to fire was given by a Presidency Magistrate (Mr. Dastur), who had himself received a blow from a stone, and this had the effect of dispersing the Julhai population for the time being, but within a short space of time the uproar spread to Bellasis, Duncan, Babula Tank, Grant, Parel, Falkland and Foras roads, where many Hindus were celebrating the last day of the Holi festival by idling and drinking. Attempts were made to set fire to plague-hospitals, two European soldiers were murdered in Grant road, the gallows-screen near the jail was burned down and a serious attack was made upon the fire-brigade station at Babula Tank road. On this occasion also the Muhammadan butchers struck work and were only persuaded to continue on duty by the action of Mr. Bennett, who journeyed to the

slaughter-houses with a small posse of men from the native infantry and taught the refractory a sound lesson. Another feature of the disturbance was the attack by the mob of isolated Europeans, several of whom were protected in the pluckiest manner by Muhammadan and other Natives of the lower classes. The naval, military and volunteer forces were fortunately called out on the first sign of disorder and by the 10th March peace was restored. The casualties resulting from the rioting were 19 killed and 42 wounded, while 247 persons were arrested, of whom 205 were convicted and sentenced to various terms of imprisonment.

The night of the 23rd March 1904 (the fifth day of the Muharram) marked the outbreak of a serious riot between the Sunni Muhammadans of the city and the Shias (Bohras). Casual fighting between the Bohras and their antagonists occurred up to the 27th March (the *Katal-ki-rat*), and the authorities were forced to cancel the license for the *tabut* procession from Rangari moholla, the inhabitants of which had engineered several assaults upon the Bohra population. This engendered a sullen disposition among the Sunnis, which culminated in a refusal to take out their *tabuts* for immersion and in attacks upon the police and the public. A panic commenced to manifest itself among the Bohras at the same time, and the Police Commissioner thereupon decided to call out military aid. By the 1st April the disturbances quieted down, and the troops, consisting of the men of the Cheshire Regiment, the Royal Artillery, the Railway Volunteers, the Light Horse and H. E. the Governor's Body-Guard, were gradually withdrawn. The number of persons injured was 34.

Once again at the Muharram of 1908 the latent antagonism between the Sunni and Shia Muhammadans flamed forth. On the morning of the 13th February a fracas took place between a Shia tabut-procession composed of Julhais, Mughals, Khojas and a few Bohras and some Sunni Muhammadans congregated in a mosque in Falkland road. The news of the encounter quickly spread and resulted in a general refusal of the Sunni Musalmans to take out their *tabuts* in procession. This

in turn let loose several thousands of low-class Muhammadans who usually accompany the procession ; and they proceeded to sow the seeds of disorder in various parts of the bazaar. Spasmodic attacks were made upon the Shias until the later part of the afternoon when serious rioting took place in Parel road and the police were forced to fire upon the mob. This practically put an end to the disorder ; but the military were called out in the evening and remained posted in various parts of the disturbed area until the following day. [1]

Meanwhile in spite of repeated visitations of plague, spasmodic outbursts against law and order and occasions of commercial depression the city has increased in extent and wealth. The City Improvement Trust, which was founded by Lord Sandhurst in 1898, has done a great deal towards the improvement and rebuilding of insanitary areas like Nagpada and is at the present date (1907) engaged in the prosecution of schemes which will not only open up the most crowded parts of the city but will also render fit for occupation and development the large area of low-lying agricultural land which extends from Parel to Sion on the east of the island. The Port Trust is at work upon new docks and wharves which will very greatly alter the character of the eastern side of the island, rendering the port far more capable of dealing with a foreign trade that shows every sign of expansion. The Municipality in its turn is interesting itself in schemes designed to meet the wants of a population which has rapidly increased since 1901 and which is likely to increase even more rapidly as the building-area is extended and the projects of the other urban bodies are brought to completion ; and the Government of Bombay on their side are discussing the various alterations in the face of the island necessitated by the increase of population, the growth of trade and industries and the existing lack of space and communications within the occupied area. The city and island is unquestionably now entering

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[1] The orderly course of events was again disturbed in July 1908, when the mill-hands of the industrial quarter rioted in connection with the arrest and conviction for sedition of Bal Gangadhar Tilak.

upon an era of great change, economical and social ; new ideas, new wants are being voiced ; and in all probability it will not be many years before old landmarks which date back to the time when Bombay was but a thriving town, will have been swallowed up for ever in the countless thoroughfares of a huge city boasting of all the most modern improvements that the wit of man has devised. The spirit of Aungier still watches over the island ; and his famous words "The city which by God's help is intended to be built" still serve as a guiding motto to those in whose care Providence has placed one of the finest possessions of a world-wide Empire.

APPENDIX I.

Governors of Bombay.

Name.	Assumed charge of office.	Remarks.
Sir Abraham Shipman ...		Appointed 'General and Governor' on 19 March, 1662, but was prevented from landing in Bombay by the Portuguese, and died on the island of Angediva in October, 1664.
Humphrey Cooke ...		Secretary to Sir Abraham Shipman, succeeded him in command, and came to Bombay as Governor in February, 1665. He remained in power till 5 November, 1666.
Sir Gervase Lucas ...	5 Nov., 1666	Died 21 May, 1667.
Captain Henry Gary ...	*22 May, 1667*	*Officiating.*
Sir George Oxenden ...	23 Sept., 1668	Died, in Surat, 14 July, 1669.
Gerald Aungier ...	14 July, 1669	Died in Surat, 30 June, 1677.
Thomas Rolt ...	30 June, 1677	
Sir John Child, Bart. ...	27 Oct., 1681	Governor and General, with his head-quarters in Bombay whither he moved from Surat on the 2nd May, 1687 and where he died on the 4th February, 1690. Keigwin ruled Bombay in the King's name from the 27th December 1683 to the 19th November 1684. (See pages 77—81 of the History Chapter.)
Bartholomew Harris ...	4 Feb., 1690	Died in Surat, 10 May, 1694.
Daniel Annesley ...	*10 May, 1694*	*Officiating.*
Sir John Gayer ...	17 May, 1694	Bombay Governors (1694—1715) held the title of General.
Sir Nicholas Waite ...	Nov., 1704	
William Aislabie ...	Sept., 1708	
Stephen Strutt ...	*11 Oct., 1715*	*Officiating.*
Charles Boone ...	26 Dec., 1715	On 11 March, 1715 the Court of Directors resolved to appoint a President for Bombay, and on the 16th *idem* Mr. Boone was nominated to that post. (President and Governor of Bombay).
William Phipps ...	9 Jan., 1722	
Robert Cowan ...	10 Jan. 1729	Dismissed the service of Government.
John Horne ...	22 Sept., 1734	
Stephen Law ...	7 April, 1739	
John Geekie ...	*15 Nov., 1742*	*Officiating.*
William Wake	26 Nov., 1742	
Richard Bourchier ...	17 Nov., 1750	

Name.	Assumed charge of office.	Remarks.
Charles Crommelin ...	28 Feb., 1760	
Thomas Hodges ...	27 Jan., 1767	Died, 23 February, 1771.
William Hornby... ...	26 Feb., 1771	
Rawson Hart Boddam...	1 Jan., 1784	Appointed 3 September, 1784, under the Act 24 Geo. III., Cap. 25, Governor of Bombay. Assumed charge on the 6 January 1785.
Andrew Ramsay... ...	*9 Jan., 1788*	*Officiating.*
Major-General William Medows.	16 Sept. 1788	Also Commander-in-Chief.
Colonel Robert Abercromby.	21 Jan., 1790	Also Commander-in-Chief. Proceeded to Madras on duty in August, 1793 and thence joined the Council of the Governor General as Commander-in Chief in India on the 28 October, 1793.
George Dick	*26 Nov., 1792*	*Officiating.*
John Griffith	*9 Nov., 1795*	*Officiating.*
Jonathan Duncan ...	27 Dec., 1795	Died, 11 August, 1811.
George Brown	*11 Aug., 1811*	*Officiating.*
Sir Evan Nepean, Bart..	12 Aug., 1812	
The Hon. Mountstuart Elphinstone.	1 Nov., 1819	
Major-General Sir John Malcolm, G. C. B.	1 Nov., 1827	
Lieut.-General Sir Thomas Sidney Beckwith, K. C. B.	1 Dec., 1830	Also Commander-in-Chief. Died, 15 January, 1831.
John Romer	*17 Jan., 1831*	*Officiating.*
The Earl of Clare ...	21 March, 1831	
Sir Robert Grant, G. C. H.	17 March, 1835	Died, 9 July 1838.
James Farish	*11 July 1838*	*Officiating.*
Sir J. Rivett-Carnac, Bart.	31 May, 1839.	
Sir William Hay Macnaghton, Bart.		Was appointed Governor of Bombay by the Honourable the Court of Directors, on the 4 August, 1841, but, before he could take charge of his appointment, he was assassinated in Cabul on the 23 December 1841.
George William Anderson.	*28 April, 1841*	*Officiating.*
Sir George Arthur, Bart., K. C. H.	9 June, 1842	
Lestock Robert Reid ...	*6 Aug., 1846*	*Officiating.*
George Russell Clerk ..	23 Jan., 1847.	
Viscount Falkland ...	1 May, 1848	
Lord Elphinstone, G. C. H., P. C.	26 Dec., 1853	

Name.	Assumed charge of office.	Remarks.
Sir George RussellClerk, K. C. B.	11 May, 1860	(Second time).
Sir Henry Bartle Edward Frere, K. C. B.	24 April, 1862	
The Right Hon. William Robert Seymour Vesey FitzGerald.	6 March, 1867	
Sir Philip EdmondWodehouse, K. C. B.	6 May, 1872	
Sir Richard Temple, Bart K. C. S. I.	30 April, 1877	
Lionel Robert Ashburner, C. S. I.	*13 March, 1880*	*Acting Governor.*
The Right Hon. Sir James Fergusson, Bart., K. C. M. G.	28 April, 1880	
James Braithwait Peile, C. S. I.	*27 March, 1885*	
Lord Reay	30 March, 1885	
Lord Harris ...	12 April, 1890	
Herbert Mills Birdwood, C. S. I.	*16 Feb., 1895*	*Acting Governor.*
Lord Sandhurst	18 Feb., 1895	
Lord Northcote, C. B	17 Feb., 1900	
Sir James Monteath, K. C. S I.	*5 Sept., 1903*	*Acting Governor.*
Lord Lamington, G.C.M. G., G.C.I.E.	12 Dec., 1903	
John William Pitt Muir-Mackenzie, C.S.I.	*28 July, 1907*	*Acting Governor, K.C.S.I.* (1909.)
Sir George Sydenham Clarke, G.C.M.G., G.C.I.E.	18 Oct., 1907	

APPENDIX II.

Members of the Bombay Counc since 1784.

(Excepting Commanders-in-Chief).

Name.	Assumed charge of office.	Remarks.
Robert Sparks	6 Jan., 1785	Resigned, 8 January, 1789.
Richard Church... ...	26 March, 1785	Resigned, February, 1787.
Andrew Ramsay ...	9 April, 1787	Acted as Governor, 9 January to 6 September, 1788.
John Beaumont	9 Jan., 1788	Died, 16 February, 1788.
David Carnegie	16 Feb., 1788	Resigned, 17 February, 1792.
George Green	6 Sept., 1788	Died, 26 February, 1790.
George Dick	26 Feb., 1790	Acted as Governor from 26 November, 1792. Removed from Council, 1795.
Daniell Crokatt	18 Nov., 1791	Removed from Council, 28 April, 1795.
William Lewis	17 Feb., 1792	Resigned, 15 January, 1795.
Daniel Seton	15 Jan., 1795	Resigned, 19 January, 1796.
John Griffith	9 Nov., 1795	Acted as Governor, 9 November to 27 December, 1795. Resigned, 19 January, 1796.
William Whitehill ...	29 Feb., 1796	Resigned, 26 March, 1797.
John Spencer	31 March, 179	Resigned, 26 March, 1797.
Sir C. W. Malet, Bart ...	9 April, 1797	Resigned, 9 January, 1798.
William Page	9 April, 1797	Resigned. 23 May, 1797.
	9 Jan., 1798	Resigned, 22 December, 1801.
James Rivett	23 May. 1797	Died, 17 July, 1802.
John H. Cherry... ...	16 April, 1802	Died, 7 June, 1803.
Thomas Lechmere ...	17 July, 1802	Resigned, 23 July, 1811.
George Parry	13 Nov., 1803	Resigned, 10 December, 1803.
Robert Holford	10 Dec., 1803	Resigned, 18 September, 1804.
Lewis Corkran	18 Sep., 1804	Resigned, February, 1808.
Robert Rickards ..	10 July, 1808	Resigned, 23 July, 1811.
George Brown	23 July, 1811	Acted as Governor, 11 August 1811 to 12 August, 1812. Resigned, 7 September, 1817.
John Elphinstone ...	23 July, 1811	Resigned, 29 September, 1817.
Alexander Bell	14 Oct, 1813	Resigned, 24 February, 1816.
	7 Sept, 1817	Period of office expired, 7 September, 1822.
G. L. Pendergast ...	12 Oct., 1817	Resigned, 8 July, 1823.
Francis Warden... ...	11 Jan., 1819	Resigned, 9 October, 1819.
	29 Jan., 1823	Retired from Council, June, 1828.
Henry Shank	13 Oct., 1822	Resigned, 27 November, 1822.
Richard T. Goodwin ...	8 July, 1823	Period of office expired, 8 July 1828.
James J. Sparrow ...	23 Nov., 1825	Resigned, 3 May, 1826.
	4 June, 1828	Died, 2 October, 1829.
John Romer	9 July, 1828	Acted as Governor, 17 January to 21 March, 1831. Resigned, January, 1832.

Name.	Assumed charge of office.	Remarks.
William Newnham ...	8 Oct., 1829	Period of office expired, 8 October, 1834.
James Sutherland ...	1 March, 1831	Period of office expired, 1 March, 1836.
Edward Ironside ...	9 Oct., 1834	Resigned, January, 1838.
James Farish	1 March, 1836	Acted as Governor, 11 July, 1838 to 31 May, 1839. Resigned, March 1841.
George W. Anderson ...	8 March, 1838	Acted as Governor, 28 April, 1841 to 9 June, 1842. Resigned, February, 1844.
John A. Dunlop	25 July, 1838	Resigned, 31 May, 1839
James H. Crawford ...	28 April, 1841	Period of office expired, 28 April, 1846.
Lestock R. Reid... ...	1 March, 1844	Acted as Governor, 6 August, 1846 to 23 January, 1847 Period of office expired, 1 March, 1849.
John P. Willoughby ...	28 April, 1846	Period of office expired, 28 April, 1851.
David A. Blane	1 March, 1849	Period of office expired 28 February, 1854.
Alexander Bell	28 April, 1851	Retired, 29 June, 1853.
John Warden	9 July, 1853	Left India, 28 September, 1854.
James G. Lumsden ...	28 Feb., 1854	Resigned, August, 1857.
Arthur Malet	7 April, 1855	Period of office expired, 7 April, 1860.
Henry W. Reeves ...	15 Aug., 1857	Resigned, 12 March, 1862.
William E. Frere ...	7 April, 1860	Period of office expired, 7 April, 1865.
Jonathan D. Inverarity.	24 March, 1862	Resigned, 14 March, 1865.
Barrow H. Ellis... ...	13 April, 1865	Became Member of Supreme Council, 14 May, 1869.
Claudius J. Erskine ...	31 Oct., 1865	Resigned, 14 May, 1867.
Samuel Mansfield, C.S.I.	14 May, 1867	Period of office expired, 13 May, 1872.
Henry P. St. G. Tucker.	7 April, 1869	Period of office expired, 7 April, 1874.
Alexander Rogers ...	26 June, 1872	Period of office expired, 26 June, 1877.
James Gibbs	7 April, 1874	Period of office expired, 7 April, 1879.
Lionel R. Ashburner, C.S.I.	28 June, 1877	Temporary.
	1 Aug., 1877	Confirmed. Acted as Governor, 13 March to 28 April, 1880. Resigned the service, 23 December, 1882.
Edward W. Ravenscroft, C.S.I.	15 April, 1879	Resigned the service, 28 March, 1884.
James B. Peile, C.S.I. ...	23 Dec., 1882	Acted as Governor, 27 to 30 March, 1885. Became temporary member of Supreme Council, 9 April, 1887.

Name.	Assumed charge of office.	Remarks.
Maxwell Melvill	8 April, 1884	Died 5 August, 1887.
James B. Richey, C.S.I.	27 Oct., 1886	Temporary.
	15 Aug., 1887	Confirmed. Resigned, 19 March, 1890.
Raymond West	12 Nov. 1887	Resigned, 24 April, 1892.
John G. Moore	19 March, 1890	Temporary to 9 November, 1890.
Charles B. Pritchard, C.S.I.	9 Nov., 1890	Became Member of Governor-General's Council, 3 December, 1892.
Herbert M. Birdwood...	24 April, 1892	Acted as Governor, 17 February, 1895. Period of office expired, 23 April, 1897.
Arthur C. Trevor ...	16 Nov., 1892	Became Member of Governor-General's Council, 2 May, 1896.
J. K. Spence	25 April, 1896	Temporary to 11 July, 1896.
J. Nugent	12 July, 1896	And temporary, 12 April, 1895 to 24 April, 1896. Died 5 August, 1900.
Sir E. C. K. Ollivant, K.C.I.E.	24 April, 1897	Retired, 24 April, 1902.
H. E. M. James, C.S.I.	29 July, 1898	Temporary to 21 January, 1899; and again from 23 April to 13th October, 1899.
J. Monteath, C.S.I. ...	6 Aug., 1900	Acted as Governor, 5 September, 1903 to 12 December, 1903. Retired, 6 August, 1905.
E. McG.H. Fulton ...	24 April, 1902	Retired, 21 April, 1907.
Sir J. W. P. Muir-Mackenzie K.C.S.I.	6 Aug., 1905	And temporary, 6 September to 12 December, 1903. Acted as Governor, 28 July, 1907 to 18 October, 1907.
Sir S. W. Edgerley, K.C.V.O., C.I.E.	21 April, 1907	And temporary, 15 October, 1904 to 7 April, 1905. Retired, 16 March, 1909.
W. T. Morison	28 July, 1907	Temporary.
J. L. Jenkins, C.S.I. ...	11 Nov. 1907	Temporary. Confirmed, 4 March, 1909.

CHAPTER VII.

JUSTICE AND PROTECTION.

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item
51-1727).

No code and no law-courts appear to have existed in Bombay during the period of Portuguese supremacy. Mention is made at the time of the cession of the island of a judge-ordinary, an attorney, a mayor and a magistrate: but these were probably officials from Bassein, and whatever causes arose in Bombay were doubtless heard at Bassein, where there was a Relação or Supreme Court of Judicature.

A certain vague legislative and judicial authority was granted to the East India Company by the Charter of 1600; and this was followed by a somewhat more explicit grant from Charles II who ceded Bombay to the Company in full sovereignty, with power to make laws and to administer justice according to the laws of England.[1] It empowered the Company to establish under their common seal "any laws whatever for the good government of Bombay and the inhabitants thereof and the same to revoke as they think fit."[2] Up to the time when Charles II ceded Bombay to the Company, no attempt to introduce a judicial system had been made; for the Commissioners appointed to receive the island from the Crown representatives reported to the council at Surat that a judge-advocate was necessary "for deciding the causes of meum and tuum among these litigious people, who are more particular than the French themselves, but are overruled by the civil law for the declaring of which such a person is indispensably necessary."[3]

The first systematic attempt to introduce courts of law was made by Gerald Aungier on his first arrival in Bombay

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1 Bombay Gazetteer Materials, Part III, 13, Auber p. 228.
2 Royal Charter of March 27, 1668.
3 Commissioners to Surat, October 30th, 1668.

in 1669-70.[1] After investigating the charges against Captain Young, the Deputy-Governor, of tyranny, irreligion and drunkenness, Aungier published in 1669 the Company's regulations for the civil and military administration of the island and formed two courts of judicature, the inferior court consisting of a civil officer of the Company assisted by native officers who were to take cognizance of all disputes under 200 xeraphins, and the superior court composed of the Deputy Governor in Council, who took cognizance of all civil and criminal cases with the title of Judge of the Courts of Judicature.[2] The latter also served as a court of appeal and was empowered "to receive, try and decide all actions treasonable, felonious, capital or criminal which in any way related to the public government and civil polity of the island and the Company's interest and estate thereon as well as all suits and actions between persons for lands, goods and sums of money above the value of 200 xeraphins. Agreeably to the English law all trials before the superior court were heard before a jury, and except in matters of the gravest kind no appeal lay from it to any higher tribunal."[3] The inferior court appears to have been separated into two benches, one of which met in the Custom House (near the present Town-Barracks) every Friday at 8 a.m. and the other met in the Mahim Custom House every Wednesday at the same hour. Each bench was presided over by the customs-officer of the Company, with five native justices as assessors.[4] Small fees were levied by these courts; a code of laws for their guidance was published in Portuguese and

1 Hamilton writes: "He (Aungier) brought the face of justice to be unveiled and erected a formal court where pleas were brought in and debated."

2 The Surat Council, writing to the Court of Directors on 30th March, 1670, speak of laws being published for civil and military Government, and "we gave the people a taste of your justice by the trial of several cases to their great satisfaction." They speak also of the appointment of two courts of judicature, the lower consisting of some of the country justices, "with whom one of your customers is always to preside" and taking cognizance of all cases under Xs. 200, with an appeal to an upper court. These courts sat on fixed days once a week and oftener in emergency.

3 Bombay Gazetteer Materials, Part III, 2.

4 Edwardes' Rise of Bombay, p. III. The native justices' appointments were honorary.

Kanarese [1]; and "Perbes" (Prabhu clerks) were appointed to conduct their clerical work. The island was divided "into two distinct precincts, one comprehending Bombay, Mazagaon, and Girgaon, and the other Mahim, Parel, Sion, Varli and the Puckerys (pakhadis) thereunto belonging," and to each parish was appointed a constable "who for an ensign of his office shall carry a staff tipped with silver and the Company's arms thereupon engraved, and shall attend the courts as necessity requires." [2] In 1670 a court for the administration of martial law was formed by Aungier, consisting of the Deputy Governor and three military officers, and to this court Fryer doubtless referred in 1675 in the words :—"The government here (Bombay) now is English. The soldiers have martial law, the freemen common, the chief arbitrator whereof is the president with his consul at Surat ; under him is a justiciary and court of pleas with a committee for regulating affairs and presenting all complaints." [3] It was further decided that all Englishmen accused of grave offences should be deported to England for trial; [4] and that disputes between English and Portuguese should be decided by a jury, half English and half Portuguese.

Among other appointments contemplated by Aungier were those of Procurator-General, Public Notary, Sheriff or Chief Constable, and of a salaried Judge. [5] The first three appointments were not created ; while as regards the fourth the Court of Directors declined "to engage a judge versed in civil law, being apprehensive that such a person might be disposed to promote litigation and probably

[1] Edwardes' Rise of Bombay, p. 111. At this date all proceedings of the lower courts were conducted in the Portuguese tongue. Aungier introduced English as the official court-language (Forrest's Selections, Home Series, I, 55.)

[2] Edwardes' Rise of Bombay, p. 111. The office of tip-staff to the Judges was only recently abolished.

[3] See also Bruce II, 272.

[4] This system was continued till 1685, when the Directors ordered English misdemeanants to be tried in India.

[5] Forrest's Selections, Home Series I., 55. The proposal for a judge was made in 1670 ; the proposal for the other three officials was made in February, 1671. In 1673 there was an attorney-at-law who looked after the Company's revenues and lands and defended the action and rights of Government before the law. He also acted as preventive officer and as storekeeper to the garrison.

might not obey the orders which the President and Council might find it for the interest of the company to give him." They undertook, however, to send "some persons who had received education in the law as civil servants without making the practice of the law their only object, and if they deserved well they might be appealed to as assistants to the courts of justice."[1] By 1672 however, the need of a Judge had become so pressing that Aungier appointed one George Willcox to the office on the 8th August in that year, and gave orders for the final supersession of Portuguese custom by the English law.[2] The Judge, whose salary was fixed at £120 a year, was kept fully employed; for in addition to civil and criminal work, he was in charge of the register of probate of wills and "inventories of dead men's estates." Aided by two justices, he held his court in a room near the Fort, two days a week being allotted to civil work, and one day a month for the hearing of criminal cases.[3] After the death of Willcox in 1674 the question of appointing a full-time Judge was again discussed by the Court of Directors, who finally decided in 1675 that the appointment was necessary. Accordingly, Mr. Thomas Niccolls was chosen to fill the post on a salary of £120 a year, payable quarterly, together with allowances of "a horse or palanquin, a *sombrera* or sunshade boy and one new gown a year."[4] To guide him at the outset of his duties, the Council at Surat despatched the following instructions to Bombay on the 8th February, 1676:—"As

[1] Bruce II. 279.

[2] Bombay Council to Surat, 12th July, 1672. The Directors sent out the Statute Book and other law books in December 1672, and with the help of these, Willcox framed a rough code of civil procedure.—(Forrest's Selections I., 64). Willcox died of fever on 9th August, 1674, much lamented. It is doubtful whether Portuguese law was ever really recognized after the cession (see Sir E. Perry's judgment in the Advocate-General *vs.* Richmond. Perry's Oriental Cases, p. 573.)

[3] Aungier's Reports of 15th December 1673 and 20th August 1674. Military cases were still dealt with separately; for when Shaxton headed a mutiny of the troops in 1674, he was impeached before "a select court of judicature" by Captain Langford whom Anderson described as a pompous attorney. He and other mutineers were tried by martial law.

[4] Edwardes' Rise of Bombay. His title was Judge and Keeper of the Company's Register (Bombay letter of 22nd January, 1677). He was also appointed *ex-officio* 4th in Council.

we desire that justice may be done, so we would have you take care that vexatious suits and contrivances laid by common barristers to disturb the quiet of good people may be discouraged and prevented. And let the judge know from us that we expect him to maintain the gravity, integrity and authority of his office, and that he doth not bring a disrepute on the court of Bombay by lightness, partiality, self-seeking or countenancing common barristers, in which sort of vermin they say Bombay is very unhappy."[1] Niccolls' tenure of office was not long—for he was suspended on the 20th August, 1677, for speaking disrespectfully to a jury;[2] but it was remarkable for two trials for theft, which evoked a remonstrance from the Court of Directors. In the first case two natives were found guilty and executed, and in the second a European thief was punished with slavery. The Court of Directors, on receiving a report of these circumstances, laid down that theft was not to be punished with death and that Europeans were not to be sentenced to slavery.[3] Niccolls was succeeded by Captain Henry Gary, who was granted the title of Chief Justice, but had his salary reduced by the Surat Council to £90 a year.[4]

The latter arrangement was probably consequent upon the complaint of the Bombay Council that they found great difficulty in obtaining good men to work as judges, and that "the name sounds very great for the place." In any case the appointment of Gary found little favour with the Court of Directors, who remarked that "For as much as we are informed that the said Captain Gary is a Papist (although he sometimes goes to church) we do not

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[1] Forrest's Selections (Home Series) I. 81. Barristers may be a clerical error in the original for barrators. "Common barratry" is an old criminal offence at common law.

[2] "Twelve men who formed a jury at Justices' Hall brought in a verdict according to equity and good conscience, and were nevertheless publicly checked and rated by the Judge who told them that they were men of large consciences. They asked to be exempted in future from the like duties except they can be protected in the free discharge of their consciences."

[3] Court to Surat, May 6th, 1685. The first execution in Bombay took place on 21st October 1674 when Corporal Lake was shot. (Douglas I. 74.)

[4] Surat to Court, February 6th, 1678

think him a fit person for judge ;"[1] and in the end, so far as contemporary records show, Captain Gary and Captain Keigwin were appointed joint Justices of the Peace and sat together with Messrs. Ward and Day "to hear all causes and try criminals." The justice meted out at this period was distinctly mediæval, as indeed it also was in England at this date. Theft, which was apparently a common offence, was punished with "burning in the hand" while a female misdemeanant was sentenced "to be shaved and set on an ass"; and a soldier was sentenced to run the gauntlet for accidentally setting fire to a powder magazine. Gary himself is said to have ordered the appearance before him on a Friday of a man who had been executed under his own orders on the previous Tuesday : branding, mutilation and compulsory slavery in the docks or at the great Breach were common forms of punishment; and whipping was frequently resorted to.[1]

In 1683, the year of Keigwin's mutiny, Charles II granted a new Charter to the Company in which it was laid down that a Court of Judicature should be established at such places as the Company might think fit and should consist of a person learned in civil law and two merchants, to be appointed by the Company.[2] The President of Surat, or in his place the Deputy Governor of Bombay, was appointed Judge-Advocate, and no further appointments of a separate judge were made until after 1689, when the court established by the Charter of 1683 was finally closed.[3] The said Charter also authorized the establishment of Admiralty jurisdiction in India, with the object of enabling the Company to seize and condemn the ships of the Interlopers ; and, in view of the fact that the Deputy Governor was unable to deal successfully with mercantile and maritime cases, a special Admiralty Judge

[1] Court to Surat, March 19th, 1680. This information as well as other details have been taken from Mr. P B. Malabari's M.S History of "Bombay in the making." As late as 1779 one Robert Butler was sentenced by court-martial to receive 1,000 lashes, and in 1774 a woman was sentenced to be burnt for committing murder.

[2] Auber, 228.

[3] Bruce. Anderson's English in Western India.

for Bombay was appointed by the King.[1] The first incumbent of the appointment was Dr. St. John, who arrived at Bombay in 1684, but, being prevented from landing by Captain Keigwin and his mutineers, had to betake himself to Surat.[2] His commission authorized him to hold court at Bombay with two merchants (servants of the Company) as his assessors, to have cognizance of all admiralty cases within the limits of the Company's territory, and to draw a salary of £200 a year "with allowances from the Company's table."[3] Apparently however Dr. St. John was not satisfied with acting solely as judge of a maritime court, and claimed jurisdiction in purely civil matters also. This arrangement was perforce allowed during the continuance of Keigwin's mutiny; but after the revolt had been quelled and affairs at Bombay had become more tranquil, Sir John Child took the first opportunity to restrict Dr. St. John's jurisdiction and appointed John Vaux judge of civil and criminal courts.[4] This enraged St. John so greatly that, according to Bruce, he threw in his lot with the interlopers and had consequently to be suspended by the Court of Directors in 1685.[5] Who succeeded him is not definitely known, though possibly Dr. Davenant held the post for a short time; and the only reference to the Admiralty Court subsequent to his suspension is contained in a letter of August 27th, 1688, from the Court of Directors to Bombay in which they complain that "the fees of our Admiralty Court are grown to an exorbitancy and the delays are extreme," and ordered the Bombay Council to revise the scale of fees and regulate the business of the court.

Meanwhile the course of civil and criminal justice ran far from smoothly. Sir John Child's mismanagement of

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1 Letters Patent, 9th August 1683.

2 Dr. St. John to King, September 20, 1684.

3 Bruce, II., 496, 497.

4 In 1686 there were no law-books. The Directors were asked to send out a statute book for the use of Vaux, but refused, saying that civil law and martial law were to be used.

5 St. John complained that he had received no salary as Civil Judge, and that Vaux knew no law. Court to Surat, May 6th, 1685. Child s letter of 21st April 1685. He is stated to have finally retired from Bombay in 1690. It is not at all certain that St. John was actually suspended by the Directors.

the Company's affairs, Keigwin's mutiny, the rivalry of the old and new East India Companies and the Sidi's bombardment of Bombay, all contributed to so upset the administration that after Vaux's suspension from service no judge was appointed for over a decade,[1] and legal work was performed in a very unsatisfactory manner by the Governor and Council.[2] At the opening of the eighteenth century judicial functions were exercised by a civilian styled Chief Justice, and in important cases by the President in Council, these two officials being the only Justices of the Peace for the whole island.[3] Thus, in 1719 Parker served as Chief Justice as well as Deputy Governor and Accountant,[4] and he was succeeded in 1720 by J. Braddyll, whose quarrel with the Reverend Richard Cobbe led to the latter's departure from Bombay. This system, which continued until 1728, when the Mayor's Court was established, cannot be described as successful. Neither the Chief Justice nor the President and Council had any thorough knowledge of the law; there were no codes except the two rough compilations framed in Aungier's time; and justice was consequently extremely arbitrary. In 1726 the Court served at one and the same time as a civil, criminal, military, admiralty and probate court; it even framed rules for the price of bread and the wages of "black tailors."[5] In the latter respect conditions were not far different from those in England, where the Justices of the Peace settled the price of bread and the regulation of wages. The Directors of the Company were naturally desirous of keeping the administration of justice in their own hands and therefore asked for the establishment of a Mayor's Court to deal with ordinary civil and

[1] Court to Surat, February 11th, 1693. "We have been in such a miserable weak condition upon Bombay that we have not been able to erect any court of judicature or admiralty."

[2] Bombay to Court, Dec. 18th, 1697. In 1696 the Bombay Government were expecting "a person learned in laws, qualified for a judge, whereby we may erect a court of judicature." (Materials, III, 7). Legal work at this date was performed by the Governor and Council.

[3] Bombay Quarterly Review, III. 326.

[4] Parker entered a strong protest against Mr. Boone's torture of Govind in the famous case against Rama Kamati.

[5] P. B. Malabari's M.S History of "Bombay in the making."

criminal work Connected with the court of this date (1720-27) were the Vereadores,[1] a body of native functionaries who looked after orphans and the estates of persons dying intestate, and who also audited accounts like a panchayat. About 1726 they were granted certain judicial powers which they retained until 1775. They may possibly have to some extent taken the place of the native tribunals which up to about 1696 were responsible for administering justice to Indian inhabitants of the island.[2]

The chief *causes célébres* at the opening of the eighteenth century were the trial of Rama Kamati, the Shenvi, for high treason in 1718[3] and the trial of two English mariners of the *Barrington* for mutiny in 1726. In the former case the accused was found guilty and sentenced to imprisonment for life, and most of his property was confiscated or purchased by the Company, including cocoa-nut orchards and rice-lands valued at Rs. 58,000, and a warehouse in the bazaar, 86 feet long, valued at Rs. 6,000, the upper portion of which was transformed into a court of judicature.[4] In the latter case the accused were also convicted and sentenced to be flogged, the more guilty of the two being also imprisoned for six months.

The locality of the court of judicature was changed several times between 1668 and 1727. At the outset justice was dispensed in the Custom House; but in 1671 Aungier decided that " a fair common house, wherein might be appointed chambers for the courts of justice, warehouses and granaries for corn and ammunition, and prisons for several offenders " should be built. Counsels of economy from London resulted in restricting the building to simply a court-house, which was commenced in 1671 and completed by the close of 1676. Meanwhile in 1675 the

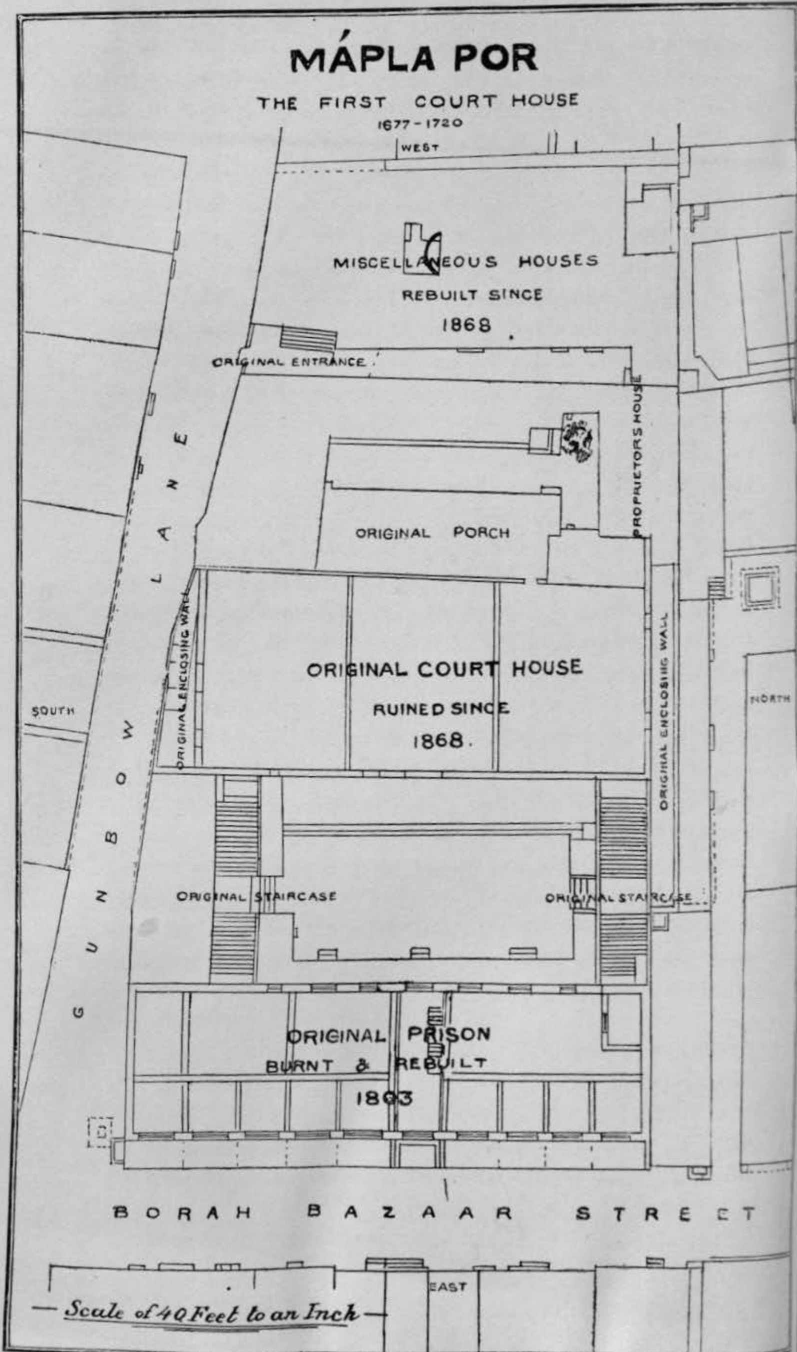
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[1] Vereadores: Verifiers or Certifiers. They also acted as supervisors of repairs and superintendents of the bazaar, and had certain police duties. DaCunha states that Vereador meant Procurator or Attorney.

[2] Bombay Gazetteer Materials, Part III., 7. Kazi Ebrahim was appointed. in 1694. "chief judge and decider of all differences in the Moors on the Island."

[3] See History, Chapter VI, *supra*.

[4] Forrest II, 20.


MÁPLA POR
THE FIRST COURT HOUSE
1677 - 1720
WEST
MISCELLANEOUS HOUSES
REBUILT SINCE
1868
ORIGINAL ENTRANCE
PROPRIETORS HOUSE
ORIGINAL PORCH
GUNBOW LANE
ORIGINAL ENCLOSING WALL
ORIGINAL COURT HOUSE
RUINED SINCE
1868.
ORIGINAL ENCLOSING WALL
SOUTH
NORTH
ORIGINAL STAIRCASE
ORIGINAL STAIRCASE
ORIGINAL PRISON
BURNT & REBUILT
1803
BORAH BAZAAR STREET
EAST
— Scale of 40 Feet to an Inch —

court of justice was accommodated in a hired house, which in the following year was turned into a hospital, the court being transferred to the Deputy Governor's house in the Castle, which was purchased from a Portuguese lady for Rs. 2,400. On the completion of Aungier's court-house in 1676 the courts of justice were moved into it, and there remained until the year 1720. The remains of this court-house, which is known as Mapla Por, are still to be seen on the west side of Bohra Bazaar street, about three hundred yards north of the north-west corner of Elphinstone Circle, and constitute the oldest relic of British dominion in Bombay.[1] In 1720 the court and town-hall were again removed to the warehouse of Rama Kamati, mentioned above, which stood at the corner of Bazaar Gate street and Dwarkadas' lane; and in this building justice was dispensed until 1786, when Hornby House, the present Great Western Hotel, was converted into a court-house.

Mayor's Court (1727 to 1798).

At the close of the first quarter of the eighteenth century the judicial system in Bombay was so ineffective that the Court of Directors made a representation to the king,[2] in which they emphasized the need of "a competent power and authority" at Madras, Bombay and Fort William "for the more speedy and effectual administering of justice in civil cases and for the trying and punishing of capital and other criminal offences and misdemeanours," and begged permission to establish a Mayor's Court at all three centres. His Majesty complied with their request and on the 24th September 1726 issued a new Charter creating Mayors' Courts at Bombay, Madras and Calcutta, each consisting of a mayor and 9 aldermen, eight of whom (including the mayor) were required to be naturalised subjects of the British Crown and the other two subjects of any friendly nation. The aldermen were to be selected from the principal inhabitants of the place, were to hold office for life unless suspended for misconduct and were to elect the mayor annually from amongst their number.[3] The court was declared a Court of Record and was empowered to hear civil cases of all kinds, subject to

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1 For further details, see Bombay Gazetteer Materials Part III.

2 Auber.

3 Bombay Quarterly Review, III., 1856, 326-28.

an appeal to the Governor and Council.[1] The Charter further authorized the Governor and Council to hold quarter sessions for the trial of all offences except high treason, the President and five senior members of Council being created Justices of the Peace and constituted a court of Oyer and Terminer and Gaol Delivery.[2] Decrees of the Governor's court involving sums less than 1,000 pagodas (Rs. 3,000) were declared to be final, and in the case of larger amounts appeals were authorized to the Privy Council. Suits of this character were to be tried according to the English law.[3]

The new Charter did not reach Bombay until February 1728. "On the 10th of that month it was publicly read on the recently built pier in the presence of the Europeans and leading native inhabitants. The President and Council, Sheriff, Mayor and Aldermen then took the oaths of allegiance, after which the President harangued the assembly, pointing out to all the value of their new privileges and setting before the members of the corporation the duties which they had that day undertaken to discharge."[4] William Henry Draper was appointed the first Mayor on a yearly salary of Rs. 500, while the aldermen were granted a monthly allowance of Rs. 12, which was subsequently raised to Rs. 14, to cover the expense of attendance in Court. Two attorneys were appointed, one of whom acted as registrar, and the expenses of the court were defrayed by fees on summonses, bail-bonds, decrees, and so forth. [5]

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[1] The Mayor's Court was further empowered to grant probate of wills and administer intestate effects.

[2] In 1798 this court consisted of the Governor, Commander-in-chief, two Councillors and one Registrar.

[3] In 1753 the Charter was renewed with a reservation in favour of Natives of their own laws and customs.

[4] Bombay Quarterly Review, III, (1856) 326-28.

[5] For details of fees, see Bombay Gazetteer Vol. xxvi, Part III., p. 11 and foot-note. At the outset the Mayor and two senior Aldermen were appointed Treasurers and Cash-keepers of the Court. But in 1747 this duty was handed over to the newly-created office of Accountant-General. There was also attached to the Court a Coroner, whose pay in 1748 was Rs. 12 a month, and at some indeterminate date a Marshal was appointed, whose salary in 1741 was fixed at Rs 28-3-75, "payable by the county" (Bombay Gazetteer Materials, III.,21). In 1798 one James D. Richardson was "Coroner and Scavenger" (Bombay Almanac, 1798).

The Mayor's Court had to encounter all the jealousy and prejudice which stand in the way of new institutions, and they bitterly complained that the chief officers of Government were the worst obstacles to their administration of justice. Lowther, the Chief of Surat, being called upon by them to execute a commission for examining witnesses bluffly questioned their authority, and did not even condescend to treat them with courtesy. Government, it is true, took up their quarrel on that occasion and reprimanded the chief, but at other times they interfered with the court's action and fettered its proceedings. The consequence was that although the Mayor's salary was Rs. 625 a year, the same as the old Chief Justice had drawn, and the office would under ordinary circumstances have been coveted by senior civilians as a valuable addition to their emoluments and influence, it yet became so difficult to find qualified persons for the post that frequently no candidates were forthcoming on the 20th December, the day fixed for election. After repeatedly re-electing the Mayor as often as his term had expired, it became necessary to raise the fine for refusal to serve from Rs. 100 to Rs. 400; and this again led to disputes between the Court and Government, each insisting upon their supposed right to enforce this penalty. Government however in this instance agreed to waive their claim until a reference could be made to the Court of Directors and proper regulations be received. The aldermen were apparently disposed to treat their duties equally lightly and had to be granted in 1740 a special palanquin allowance, in order to secure their punctual attendance.

"The Mayor's Court stood alone"; remarks a writer in the 'Bombay Quarterly Review,' "if it looked round it felt that it was despised; if upward to Government, it complained of being thwarted and frowned down. With the humbler classes indeed or the vulgar, as their worships styled uncovenanted offenders, a few decisive measures had taken effect, and although they could not be taught respect, they could at least be forced into silence. When Mr. Mayor and his Aldermen went into public and perambulated the streets, they kept their ears open, noted down offensive remarks upon their judicial conduct, and did not fail to make the culprits atone for their insolence before

the injured tribunal. By such means utterers of irreverent jests, murmurers and severer critics were effectually awed, and we do not any more hear the Court complaining of the wit and censoriousness of discontented libellers. Emboldened by this success they seem to have thought it also possible not only to prevent the vexatious interference of Government but to render themselves independent of its authority. They had no more knowledge of law than could be derived from a manuscript book of instructions sent them by the Court of Directors; yet they were impatient of all advice and control, arrogating to themselves the right to occupy a position similar to that since conceded to the Supreme Courts. When called by Government to render an account of all sums deposited by suitors, they did it imperfectly and with reluctance; then, without consulting as usual the President and Council, appointed a young and inexperienced man to the office of their Accountant-General. Being required to explain their accounts in detail, they took no pains to draw up any statement, but simply referred Government for information to some of their members who were also Members of Council, and when this discourteous recusancy was represented to them, openly disavowed submission to the President and Council. In acting thus they defied the Charter by which they were appointed; for according to its provisions, the Court of Directors, and by consequence the officers to whom their authority was delegated in India, were empowered to regulate the affairs of the mayor's Courts at the three Presidencies. And of course they excited the just indignation of the President and his Council, with the exception of two members, Sanders the mayor and Anthony Upton, an alderman, who although they admitted that the court's letters were couched in disrespectful and indecent language, maintained that its resistance to the orders of Government was lawful."

Dissension reached its height in the matter of the "cow-oath," which the Mayor's Court imposed upon all Hindu witnesses, and which was most strongly objected to by all the castes in Bombay.[1] As the public remonstrances

[1] The witness was made to take hold of a cow's tail in court and swear to speak the truth.

passed unheeded, the natives proceeded to out-caste all who gave evidence in this manner before the Mayor's Court, and Government were at length obliged to step in and make a reference to the Court of Directors about 1746. In 1747 the Directors, on the advice of the law-officers of the Crown, ordered, to the great satisfaction of the native community, that the cow-oath should no longer be imposed. The criminal justice which the court dealt was unduly severe in most cases and occasionally marred by partiality. The ordinary punishment for petty thefts and larcenies was whipping which was either inflicted at a cart's tail as the delinquent was led round the town-wall, or else at the public whipping-post before crowds of spectators on a market-day. Felony, as in England at this date, was a capital crime, and when Mr. Jenkinson's escritoir was robbed of 15 guineas by his slave-boy in collusion with his horse-keeper, the wretched Alexander and Fakirrao were both sentenced to be hanged[1]. On the other hand, when George Scott, a member of Council, Justice of the Peace, Marine Paymaster and Keeper of the Custom-house at Mahim, was convicted of the grossest oppression of three natives for the purpose of extorting Rs. 10, he was merely fined £5 and deprived of his commission as a Justice of the Peace.[2] Another class of case which figured in the records of the proceedings of the Mayor's Court was that in which the prisoner was charged with "fascination.[3]" Thirty years earlier (1729) an ignorant woman named Bastok had been convicted of curing diseases by witchcraft and sentenced "to receive eleven lashes at the church door." So far as can be gathered, the culprits were not punished for being witches but for causing terror by pretending to be so,—an offence which even in these days is punishable under the Indian Penal Code By 1760 the gentlemen who administered justice in Bombay no longer

[1] Bombay Quarterly Review, III, 326-328. Forrest (Home Series) Vol II, pp. 409-13.

[2] Bombay Quarterly Review, IX, 176-183. Scott, knowing that the Court of Directors would not deal so leniently with him, resigned the Company's service after publicly accusing the Government of being just as bad as himself.

[3] Fascination or bewitchment is derived from fascinum, the amulet which Roman women wore round their necks to ward off the evil eye.

feared the Black Art themselves; but they had no objection to acting upon the convictions of natives and were ready to punish any whom the voice of scandal or of public opinion pronounced to be sorcerers. Even the Government itself felt constrained to issue a proclamation on the subject in 1754, declaring that "whereas Callia and Custam, inhabitants of Worli, have been convicted of fascination by the evidence of several people and by their own confessions, which tending greatly to disquiet the minds of the people, the President and Governor by and with the advice and consent of his Council in order to prevent such a pernicious practice in future, hath thought fit to ordain and direct the said Callia and Custam to be publicly flogged at the cart's tail through this town, Worli and Mahim[1] and to deter others from such an evil custom in future, that all persons whatever who have any suspicion of any one's practising this evil act, must make a declaration thereof, otherwise he will be deemed equally culpable with the delinquents. On the contrary, any making a discovery shall be entitled to a reward of ten rupees, to be paid by the caste to whom the offender belongs; and that no person may presume to plead ignorance hereof, the said President and Governor hath caused this notice to be published by beat of drums and affixed at the usual places."

The defects in the working of the Mayor's Court had become so patent by the middle of the eighteenth century that the Court of Directors were obliged to request the issue of a new Charter on the 8th January 1753, which re-established the Mayor's Court and repealed the provisions of the earlier Charters regarding the powers of the Governor and Council as a criminal court. The Mayor's Court was thereby limited in its civil jurisdiction and was forbidden to entertain suits between natives of Bombay except with the express consent of the parties;[1] while the

[1] Bombay Gazetteer Materials, III, 22. According to Morley the natives of Bombay were never actually exempted from the jurisdiction of the Mayor's Court. By the Charter of 1726 the right of electing the Mayor had been given wholly to the Aldermen. By the new Charter of 1753 the Aldermen were obliged to nominate two persons for the office of whom one was to be chosen by the Governor.

jurisdiction of the Governor's Court in criminal matters was limited to offences committed within Bombay and the factories and places directly subordinate to it. The new charter also created a Court of Requests for the summary disposal of small causes (not exceeding 5 pagodas or Rs. 15 in value), to consist of from 8 to 24 Commissioners [1], and authorized the Court of Directors to frame rules and bye-laws for the working of the court. The Court accordingly issued certain rules for this and the other courts and also appointed eight commissioners of the Court of Requests, with instructions to continue holding office for a certain fixed period and to arrange for three of their number to sit every Thursday. [2] Rules of procedure for the Mayor's Court were also drafted in 1763 and approved, with certain alterations by the Court of Directors in 1767. The other most noticeable events of this period were the issue in January 1761 of a commission to the President and Council to try pirates, and the ratification of an agreement whereby the Chief of Mahim was permitted to act as arbitrator in disputes between residents of that area, who were desirous of avoiding the trouble, delay and expense of a suit in the Mayor's Court, subject to the proviso that if the parties omitted to act in accordance with the award of the Chief of Mahim execution could only be enforced by the Mayor's Court. [3]

Recorder's Court (1798-1823).

The history of the judicial system up to the opening of the nineteenth century proves plainly that the meritorious attempts of the Company to establish satisfactory Law-Courts were negatived by the extreme vagueness of the various Charters issued for that object. And even after the Recorder's Court had been established, the Judges appointed from England were staunch whigs, who had sat at the feet of Burke and imbibed a violent prejudice

[1] It appears from a letter of 1753 from the Court of Directors that they had long been considering the establishment of such a court. Bombay Gazetteer Materials, III.

[2] Bombay Gazetteer, Materials III, 23, for details ; also *ibid*, pp. 31—40. The first Commissioners were Charles Waters, C. Whitehill, Swann, Geekie, J. Ryley, N. Starkie, R. Broughton, John Jones, S. Lacey.

[3] Bombay Gazetteer Materials, III, 44.

against the Company. It was the vague provisions of the Charter which were really responsible for the belief generally prevailing at the end of the eighteenth century that "the Mayor's Court did not sufficiently provide for the due administration of justice in such a manner as the state and condition of the Company's settlement at Bombay required"[1]. The Mayor's Court was accordingly abolished and replaced by a Recorder's Court, composed of a Recorder who was to be a barrister of five years' standing appointed by the Crown, the Mayor and three aldermen of Bombay. The Recorder, who drew an annual salary of £5,000, was President of the Court, and out of the nine aldermen of Bombay three sat with him by turns, three for each term: and the Court was invested with the whole civil and criminal jurisdiction of the Mayor's Court and the Court of Oyer and Terminer. Its jurisdiction also extended to ecclesiastical and admiralty cases, and all British subjects resident within the territories subject to the Bombay Government, as also those resident in the territories of Native Princes in alliance with the Government, were amenable to its jurisdiction.

The first Recorder of Bombay was Sir William Syer who arrived in 1799 and presided over the new Court "with much integrity and skill" until his death in 1802.[2] Under his auspices the functions of barrister and attorney were separated and the respectability of the Bar was enhanced by the arrival of several English barristers; while in 1800 he urged the Board of Directors to appoint a professional gentleman to settle indictments and prosecutions in the criminal court and to act as an advocate of paupers.[3] By 1803, when Sir James Mackintosh succeeded Sir William Syer, the Recorder's Court was composed of the following officials excluding the Recorder himself, the Mayor and nine aldermen:—A Prothonotary on the plea side; a Registrar for equity and ecclesiastical and admiralty matters; a Master in Equity; a Clerk of the Crown; a Solicitor for the Honourable Company; a

[1] Preamble of the Charter of 1797.

[2] Sir James Mackintosh's Life and Letters; Bombay in the days of George IV by Drewitt; Bombay Courier, 9th October 1802.

[3] Bombay Gazetteer Materials, III, 57. Mr. Cleaser was appointed to this office.

Solicitor for conducting Crown prosecutions ; a Clerk of small causes and an Attorney for conducting pauper causes; a Sealer ; a Kazi ; a Pandit ; 3 barristers ; 3 public notaries admitted by the Ecclesiastical Court of Canterbury; and seven advocates, attorneys and proctors. There were four terms on the plea side and four sessions of Oyer, Terminer and Gaol Delivery every year.[1] Among other events of Sir W. Syer's tenure of office were the establishment in 1799 of mofussil courts, which were subject to the supervision, control and appellate jurisdiction of the Governor in Council up to 1820, and the establishment of a Small Causes Court for the recovery of debts not exceeding Rs. 175.[2] On Sir W. Syer's death in October 1802, the Recorder's office was held for a few months by a junior member of the Madras Court, pending the arrival of Sir James Mackintosh, who assumed office in June 1803 and served until November 5th, 1811.[3] He was in turn succeeded by Sir Alexander Anstruther (1811—1819), Sir George Cooper (1819-20), Sir William Evans (1820-21) and Sir Edward West (1822—1828).

Justice at this period was administered partly according to the English law and partly according to Hindu and Muhammadan institutes. All inhabitants of the island were subject to the jurisdiction of the Recorder's Court ; but a court of Panchayats existed in modified form in Bombay, "where it had survived every other judicial institution," and most of the castes in Bombay possessed a permanent Panchayat which decided its petty disputes and framed bye-laws for its direction and government[4].

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[1] Bombay Calendar, 1802.

[2] The jurisdiction of this Court was extended to debts of Rs. 350 in 1818, of Rs. 500 in 1850, of Rs. 1,000 in 1864, and of Rs. 2,000 in 1882. For details of the Court of Petty Sessions, see Rule, Order and Regulation I of 1812.

[3] Sir James Mackintosh (Life and Memoirs) wrote :—"I have four terms for civil business and four sessions for criminals. The number of my days of attendance is about 110 in a year and I commonly sit three or four hours each day. I have found the business very easy ; indeed rather an amusement than a toil. The two barristers are gentlemanlike men. On court days, which are about one in four, I go to Bombay (from Parel), distant about 5 miles."

[4] Selections from East India House Records II.

The Recorder's Court was not free from irregularities which were referred to in Sir E. West's first address to the Grand Jury in April 1823, and resulted to a great extent from the frequent vacancies caused by the death of successive Recorders[1]; while he animadverted severely in 1825 upon the illegalities perpetrated by the Magistrates of Police and the Court of Petty Sessions, which had been established in 1812.[2] His strictures, which were not wholly justifiable and were coloured by prejudice, appear to have fallen upon deaf ears, for three years later (1828) Sir J. P. Grant was obliged to expose the culpable neglect of duty by the Company's magistrates and other officials. "The calendar," he said at the opening of the Quarter Sessions, "is a heavy one. Several of the crimes betoken a contempt of public justice almost incredible and a state of morals inconsistent with any degree of public prosperity. Criminals have not only escaped, but seem never to have been placed in jeopardy. The result is a general alarm among native inhabitants. We are told that you are living under the laws of England. The only answer is that it is impossible. What has been administered till within a few years back has not been the law of England, nor has it been administered in the spirit of the law of England, else it would have been felt in the ready and active support the people would have given to the law and to its officers, and in the confidence people would have reposed in its efficacy for their protection."[3] More than one celebrated case was heard by the Recorder's Court during this period in the building now known as the Great Western Hotel, the most notable being the suit between a Parsi rice-merchant and the Bombay Government in the matter of a military contract,[4] and the trial of Erskine, a Master in Equity and a Magistrate, for countenancing frauds in his office. Another event, which brought Sir E. West into sharp conflict with the local bar, was his order that the fees charged by barristers in excess of the fees usually leviable

[1] Bombay in the Days of George IV by F. D. Drewitt.

[2] Ibid.

[3] Ibid.

[4] Ibid., pp. 60-61.

in England should be subject to the scrutiny and final decision of the Master in Equity and of the attorney. This decision led to the writing of a "round robin" to the Recorder, who eventually suspended all the barristers except one for six months.

"The position of a judge sent out from England by the Crown—a "King's" judge as opposed to the judge or magistrate of the East India Company" remarks a recent writer,[1] "was not an enviable one. The King's judges were appointed to act as a check on the East India Company and a protection to the natives of India against oppression and extortion, and they took an oath to administer justice without favour. Naturally enough, the Company regarded them with suspicion and dislike, and did all that was possible to restrict their powers and limit their jurisdiction." This very biassed judgment of a modern writer must be accepted with the utmost caution, as being a survival of that whig spirit which prompted the unjustifiable attack upon Warren Hastings. But the friction arising from the extraordinary attitude adopted by Sir E. West, and other judges towards the Company, coupled with the fact that the Supreme Court at Calcutta, composed of duly qualified judges appointed by the Crown itself, had aroused less friction than the Recorder's Court at Bombay, led to an act being passed in 1823 abolishing the latter Court and establishing in its place a Supreme Court of Judicature, consisting of a Chief Judge and two other judges and framed on the model of the Supreme Court established at Fort William in 1773. The new Court was invested with full power and authority to exercise and perform all civil, criminal, equity, admiralty and ecclesiastical jurisdiction within the island of Bombay and the factories subordinate thereto; it was invested with jurisdiction similar to the jurisdiction of the King's Bench in England; and generally was granted all the powers formerly exercised by the Mayor's Court and the Recorder's Court.[2] The first Chief Justice of Bombay was Sir E. West,

Supreme Court. (1823-1861)

[1] Bombay in the days of George IV by F. D. Drewitt, pp. 9-10.

[2] For further particulars see the "Letters Patent establishing the Supreme Court of Judicature at Bombay bearing date, 8th Dec. 1823"—Bombay Education Society's Press, 1849.

then Recorder of Bombay, his colleagues, appointed by the Letters Patent, being Sir Charles Chambers and Sir Ralph Rice. Of the two latter Sir Charles Chambers alone eventually came to Bombay; and the Supreme Court, thus consisting of him and the late Recorder, was duly opened on the 8th May, 1824, after the formal taking of oaths and firing of guns.[1] At the outset the intention of the Crown had been that the Supreme Court should act as a check upon the Company's Government; but this object was frustrated by continual cases of interregnum between 1828 and 1855, the court being composed on most occasions of a single judge only and having once been entirely closed for a month, and also by occasional examples of indecorum and maladministration.[2] Thus in 1829 Sir John Grant, Chief Justice, was embroiled in a violent conflict with the Bombay Government and closed the court *suo motu*; in 1830, after the death of Sir J. Dewar, the sole Judge on the Bench, the Court was closed for a month; in 1841, a great contempt case occurred, just prior to the arrival of Sir Erskine Perry and at a moment when Sir H. Roper was alone on the bench;[3] while in 1858, the Court was again embroiled with the Bombay Government on the question whether the Police Commissioner had any legal right to remove a prisoner to Thana Jail without the sanction of the Supreme Court.[4] The friction which from time to time occurred was to some extent engendered by the fact that the Supreme Court had

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1 Drewitt's Bombay in the days of George IV, p. 44. One of the first cases with which the new Supreme Court was connected was the deportation of Fair, the Editor of the *Bombay Gazette* in 1824. For details, see *Ibid* pp. 145—54.

2 To this epoch belongs the last case in which the public pillory was utilized as a penalty for perjury. The pillory, which was in charge of the Senior Police Officer, was set up on the Esplanade, not far from the site of the present Municipal Offices. In 1834 two Hindus were fastened on the pillory by sentence of the Recorder's Court and were pelted by a troop of boys for about an hour with a mixture composed of red earth, cowdung, decayed fruit and decomposing eggs. At intervals their faces were washed by two low-class Hindus, and the pelting was then resumed amid a fanfaronade of horns blown by the Bhandari trupe attached to the Court. (*Times of India*, 22nd September 1894). This was the last instance of punishment in the pillory. The first execution of a Brahman took place in 1846 and caused some excitement among orthodox Hindus.

3 Times of India, 12th December, 1855.

4 Bombay Times, 30th January, 1856.

nothing whatever to do with the ordinary administration of justice in the mofussil. Cases decided by inferior judges outside the limits of Bombay island were referred as a matter of course to the Sadr Dewani Adalat and the Sadr Faujdari Adalat, which, though they were removed from Surat to Bombay in 1827, were wholly independent of the Supreme Court. [1] The Sadr Dewani Adalat had no original jurisdiction, but its decisions were final except in suits regarding property worth more than Rs. 10,000, when an appeal lay to His Majesty in Council; while the Sadr Faujdari Adalat was invested with the superintendence of criminal and police matters in the mofussil and with power to revise all trials held by lower courts outside the island of Bombay. The inferior courts in the island of Bombay at this period were the courts of the Police Magistrates, including a court for the Mahim division opened in 1830, a court of Petty Sessions established in 1836, and the Small Cause Court which was modified by Act IX of 1850.[2] In 1861 the Supreme Court consisted of a Chief Justice and one Puisne Judge, 13 advocates, 30 solicitors and attorneys, an Accountant-General, a Master in Equity and Taxing Officer, a Prothonotary and Ecclesiastical Registrar, a Clerk of the Crown, a Deputy Clerk of the Crown, a Sheriff, Deputy Sheriff, Coroner, Deputy Coroner, an Attorney for Paupers, a Court-house Keeper and Crier, 2 Tipstaffs, a Marshal and a Deputy Marshal.

High Court (1861-1909)

The antagonism between the Supreme Court and the high officers of the Company in Bombay, which reached its zenith during the governorship of Sir John Malcolm,[3]

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[1] The Sadr Dewani Adalat in 1820 consisted of four Judges, a Registrar and an Assistant Registrar. The Sadr Faujdari Adalat which succeeded the old Provincial Court, consisted of four judges. When these courts were moved to Bombay in 1827, a court of appeal or court of circuit for Gujarat, subordinate to these two courts, was established at Surat. These courts were abolished in 1861. One of them held its sittings in the old house, belonging to the Byramji Jeejeebhoy family which stands opposite the Babula Tank and immediately east of the J. J. Hospital.

[2] For further details see articles on the Presidency Magistrates and Small Cause Courts, pp 230-38 below.

[3] Kaye's Life of Sir John Malcolm. "I have tried," wrote Malcolm, "to deal some heavy blows at these dangerous fabrics yclept Supreme Courts; but they are too essential. . . . . to feed the rising spirit of the age for me or any man to prevail against them."

existed in more or less acute form until in 1858 Queen Victoria took over from the East India Company the direct government of the country. This historic event was followed by the passing, on the 6th August, 1861, of an Act of Parliament abolishing the Supreme Court, the Sadr Dewani Adalat and the Sadr Faujdari Adalat, and establishing in their stead the High Court, vested with the entire jurisdiction, power and authority hitherto wielded by the three abolished courts. Letters Patent were issued on the 26th June, 1862, and in August of that year the Court was formally opened with six judges [1]. This number was increased to eight by Her Majesty's order on the 6th July 1863, and five courts were formed, three on the Original and two on the Appellate side. On the 28th December 1865 Acts 28 and 29 Vict. c. 17 were issued, empowering the High Court to join several causes of action after examination of the defendant and limiting its jurisdiction in the matter of infants, lunatics and insolvents to the Presidency of Bombay. They also empowered the Governor-General in Council to pass orders altering the limits of the jurisdiction of the several chartered High Courts and enabling the latter to exercise jurisdiction over native Christian subjects of Her Majesty resident in Native States. On the 30th November 1866 the Judges issued a body of High Court rules.[2] Four years later (1870), in consequence of a decrease in the amount of original work the number of barrister-judges

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[1] Seven including the Chief Justice was the sanctioned number. A proportion of the places was reserved for members of the Civil Service who had served as judges; and the Bench as a body was established as head of the judicial system in the Presidency, instead of as heretofore being appointed as a check upon the Government. The High Court was expressly empowered to superintend and frame rules of practice for all courts subject to its appellate jurisdiction. (Stephen's Minute, 1870).

[2] They were comprised in seventeen chapters. The first eight relate to the Original side and consist of rules made subsequent to the establishment of the High Court. For various reasons no attempt has been made to revise the rules of the Supreme Court. Such of them as are still applicable to the High Court are kept in force by Chapter II, Section 1. The ninth and following chapters relate to the Appellate side. They contain all the rules at present in force and have been compiled from those issued between 1827 and 1866.

was reduced from 4 to 3; but, as the reduction led to a considerable increase of arrears, the appointment of an eighth judge was sanctioned at the close of 1872. Advantage was taken of this addition to the strength of the Bench to open a fourth divisional court on the Original side. Meanwhile, as a result of Sir Bartle Frere's policy of urban improvement, a new building for the High Court was in course of construction, and in 1879 Hornby House (the present Great Western Hotel) was finally relinquished and the present High Court building on the Esplanade was occupied from that date.[1]

In civil matters the High Court is a court of appeal (*a*) from the judgment of one judge of the High Court or from the judgment of any Division Court, the members of which are equally divided in opinion and do not amount in number to a majority of the High Court, (*b*) from the decisions, except in cases where no appeal lies, of all civil courts under its superintendence. In criminal matters the High Court is, subject to the same limitation, a Court of Appeal from the decisions of all Sessions Courts. It is also a Court of Reference and Revision in cases decided by the criminal courts subject to its appellate jurisdiction. The High Court also exercises the functions of an Insolvency Court, and possesses the civil and criminal jurisdiction of an Admiralty and Vice-Admiralty Court in prize causes and other maritime questions arising in India. It has also been invested with testamentary jurisdiction and has matrimonial jurisdiction over Christians. One of the judges of the High Court officiates as judge of the Parsi Matrimonial Court. Matrimonial decrees by District Courts require the confirmation of the High Court.

Ordinary original jurisdiction is exercised in matters, both civil and criminal, which arise within the limits of the city and island of Bombay. In virtue of its extraordinary jurisdiction the High Court may in civil cases remove and itself try any suit brought in any court under its superintendence, and may in criminal cases exercise jurisdiction

[1] The Bombay Law Reporter, Journal, III, 1901.

over all persons residing in places within the jurisdiction of any court subject to the superintendence of the High Court.

The High Court at present consists of a Chief Justice and 6 Puisne Judges. A temporary appointment of an extra judge was created in 1907 to dispose of appeals from the awards delivered under the Land Acquisition Act and to supervise the work of mofussil courts. This appointment has now (1909) been abolished. The law officers of the High Court are the Advocate-General, the Remembrancer of Legal Affairs with two assistants, the Government Solicitor and Public Prosecutor, the Clerk of the Crown, the Government Pleader, the High Court Reporter. The Official Assignee and the Clerk of the Insolvent Court are appointed by the Chief Justice. The officers of the High Court are on the Original side the Accountant-General, the Administrator-General, the Master and Registrar in Equity and Commissioner for taking accounts and for local investigations and Taxing-officer, the Prothonotary, Testamentary and Admiralty Registrar [1].

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[1] The head assistant of the Prothonotary's Office is generally Commissioner for taking affidavits, and there is also an Assistant Commissioner for taking accounts and Assistant Taxing-officer. The designation of the Prothonotary appears to have been handed down from the time of the Supreme Court and probably also of the Recorder's Court. The Prothonotary was an officer in the Courts of Common Pleas and Exchequer in England, and was subsequently replaced by the Master under 7 Will. IV. and 1 Vict. Cap. 30 in 1837. Before the establishment of the High Court the Prothonotary was paid out of fees received. But after its establishment it was decided to give the then holder of the office, Mr. Spencer Compton, a fixed salary of Rs. 2,500. The Chief Justice (Sir Matthew Sausse) stated that Mr. Compton deserved special consideration on account of the "very novel, very onerous and very largely-increased duties imposed upon him by the recent change in procedure." The Prothonotary at present is also Registrar of Testamentary and Intestate jurisdiction and in that capacity disposes of all testamentary work of a non-contentious nature. Since 1902 the Prothonotary has also disposed of the major portion of the chamber-work which formerly used to be done by one of the judges sitting in chambers. The post of Head Assistant to the Prothonotary was created in 1866, owing to a great increase of work. There are also two Deputy Registrars, who have to sit in Court. Since the death of Mr. C. W. L. Jackson, Clerk to the Insolvent Debtors' Court, that post has been amalgamated with that of the 1st Deputy Registrar and an additional 3rd Deputy Registrarship has been created for work on the Original side.

three Deputy Registrars, the Sheriff[1] and Deputy Sheriff, and two clerks of whom one is designated the Senior Judges' Clerk. To the Appellate side belong the Registrar,[2] the Deputy Registrar who is generally

[1] Faint traces of the existence of a Sheriff as early as 1671 are found in old Bombay records. The office was recognised by Letters Patent on September 24, 1726. In 1798 Nathan Crow was "Sheriff of the Country." The office came definitely into existence under the Charter of 1823, establishing the Supreme Court, wherein it was enacted that (1) the Sheriffs shall be appointed yearly from December 20th, (2) that before entering upon their office two oaths shall be administered to them by the Governor or in his absence the Senior Member of Council, (3) that in the event of the Sheriff dying or departing from the territories subject to the Presidency of Bombay another person shall be appointed Sheriff. Prior to 1896 the Sheriffs received fees, which between 1841 and 1850 were so large as to arouse considerable comment in the Press (*vide Bombay Times*, 5-11-1848). But in December 1896 the late Sir George Cotton "desired that the acceptance of the appointment should not involve the acceptance of any fees," and from that date the Sheriff's fees have been paid into the Government Treasury and the office has become purely an honorary one. The Sheriff's staff of office bears date 1810, and is still in the custody of the Deputy Sheriff. For a list of Sheriffs from 1800 to 1849 see *Times of India*, November 25th, 1848.

[2] The Registrar was originally called the Register. In 1834 Mr. Le Geyt held the post on a monthly salary of Rs. 1,200, in addition to certain fees amounting to about Rs. 4,000 a year. This salary was represented by the Judges to be inadequate; and in 1838 the Court of Directors decided that the salary should be raised to Rs. 2,100 a month with retrospective effect from 1836. They at the same time ruled that he was not to receive any fees and that he should be charged a rent of Rs. 50 per month for the apartments occupied by him in the court house. They also sanctioned the appointments of a Deputy Register on Rs. 700, an Assistant Register on Rs. 500 and of an establishment costing not more than Rs. 100. One of the objects of the Deputy Registrar's appointment was that periodical reports of cases decided might be framed under his direct supervision; and Government ordered that such reports should be forwarded to Government every six months with the returns of civil business in order that they might be printed once a year. Later on the Appellate Side establishment consisted of a Registrar drawing Rs. 2,000, a 1st Assistant Registrar on Rs. 500, a 2nd Assistant Registrar on Rs. 350, and a Shastri and a Moulvi each drawing a monthly salary of Rs. 300. The two latter appointments were abolished about 1865. In 1872 it was decided to reduce the pay of the Registrar from Rs. 2,000 to Rs. 1,800, Government at the same time observing that "when the Registrar, on the completion of the new High Court building, loses the free quarters which he now enjoys, an allowance of Rs. 200 a month for house-rent should be added to the salary of Rs. 1,800 monthly, in order that the appointment of Registrar may not be rendered of less value than a Junior Judgeship." Later in the same year the Government of India decided to again reduce the pay of the post to Rs. 1,700, and refused to sanction any house-allowance on the grounds that such allowance was not granted at Calcutta or Allahabad.

a Sealer of the Appellate Court, and the Assistant Registrar. The Bombay Bar comprises 253 barristers, 634 vakils or pleaders and 168 attorneys, of whom 107 barristers, 515 pleaders and 145 attorneys practice at the Bombay bar, the remainders practising in up-country districts or holding judicial appointments in British territory and Native States.

A Coroner also holds office under Act IV. of 1871, charged with the duty of enquiring into deaths caused by accident, etc., within the limits of Bombay.[1] Besides the Judges of the High Court and the Presidency Magistrates, who are *ex-officio* Justices of the Peace, there are (1909) 580 Justices of the Peace appointed by Government for the City and Island.

esi- Small Court.

The present Court of Small Causes appears to have grown out of the Court of Requests, established by Royal Charter in 1753 and to owe its name to the separate Small Cause Court, which Sir William Syer, the first Recorder of Bombay, organized under the charter of his Court in 1799 for the recovery of debts not exceeding Rs. 175. In 1818 the jurisdiction of the latter Court was extended by Sir A. Anstruther to debts of Rs. 350, and again in 1847 by the Supreme Court (Sir D. Pollock and Sir E. Perry) to debts of Rs. 600, and to the settlement of cases of tort and trespass. This action of the Supreme Court was howevei held by the legal officers of the Crown in England to be *ultra vires*; and in lieu thereof the Small Cause Courts Act (IX of 1850) was passed by Governor-General-in-Council. Under the provisions of that act the Small Cause Court commenced working in March, 1852, being empowered to try all suits not exceeding Rs. 500 in value. Its jurisdiction was subsequently extended to suits of Rs. 1000 in value by Act XXVI of 1864, which also provided for an

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[1] Bombay had a Coroner in 1701. The post was at that date held by Christopher Boone, whose salary was "at the rate of 13 shillings and 4 pence for each corpse he looked at." The fee was levied on the murderer's estate, or otherwise recovered from the caste of the deceased (*Times of India*, 15-5-1893). In 1793 the Governors of Madras and Bombay were asked to appoint Coroners for their respective Presidencies with the same powers as Coroners in England. In 1797 James Richardson was Coroner and Scavenger; but this post was subsequently abolished. The Coroner's salary about the end of the eighteenth century was Rs. 90 per month.

increased number of judges.[1] By 1882 the work of the High Court had so largely increased that a new act (XV of 1882) was passed, which empowered the Small Cause Court to hear suits amounting to Rs. 2000 in value, to adjudicate upon all civil suits except those of certain specified kinds, and at the same time to act, as before, as the vehicle for the recovery of small debts.[2] In 1885 the Chief Judge was vested with power to decide applications for compensation arising under Act XIII of 1885 (an act to amend the law relating to the telegraph in India); while under the City of Bombay Municipal Act of 1888 his jurisdiction was extended to the decision of appeals under certain sections of that act, his orders being enforced in the same manner as the ordinary decrees of the Court.

On the opening of the Court in 1852 three judges, styled first, second and third judges, were appointed, to whom were added in 1864 a fourth judge, and in 1891 a fifth judge.[3] In 1882 the designation of first judge was altered to that of Chief Judge and the Clerk of the Court was thenceforth known as the Registrar. The Chief Judge hears all suits for sums exceeding Rs. 700 and all miscellaneous applications relating thereto; while the other four Judges decide all other suits and applications, dividing such causes among themselves in turn, and disposing in turn of a variety of miscellaneous work in connection with suits decided or registered for hearing. The full Court is composed of two judges, one of whom is the Chief Judge, and sits every Tuesday to hear applications for review and appeal. The Registrar, in addition to his duties as administrative head of the establishment, disposes of applications for the issue of distress-warrants, for leave to sue *in formâ pauperis*, for the committal of prisoners, and for commissions to take evidence.

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[1] In 1866 the Secretary of State laid down that suits involving title to landed property should always be heard by the barrister judges of the Court.

[2] In 1888 the Registrar of the Small Cause Court was empowered to try suits not exceeding Rs. 20 in value; but these powers were annulled on the creation of the fifth judge's office in 1891.

[3] The first Chief Judge was Mr. W. Crawford (1852-58); the first second Judge was Mr. C. West (1852-56); third Judge, Mr. J. L. Johnson (1852-56); fourth Judge, Mr. N. Spencer (1864-67); and the first fifth Judge, Mr. H. Dadabhoy (1891-92).

The total establishment of the Small Cause Court, including the Registrar, Deputy Registrar and Assistant to the Registrar, numbers (1909) more than 160 persons and costs Rs. 8,627 per month. The office is divided into a summons department, execution department, appraisers' department, translation department, record department, board writers' department, bailiffs' department and cash and instalment departments. Up to 1870 all fees were paid in cash, but by Act VII of 1870 court-fee stamps were substituted for cash payments, and the court cashier became the court stamp vendor, receiving a commission of 1½ per cent. on all sales. In 1893 two salaried stamp vendors were appointed, to whom a third has since been added. The scale of fees is regulated by Act XV of 1882. Since 1882 the Common Jail at Umarkhadi has served as the court-prison for the confinement of parties arrested under warrants issued by the Court; while the scale of diet money for prisoners has been regulated since the same date by section 338 of the Civil Procedure Code.

At the date of its establishment in 1852 the Small Cause Court was located in a bungalow at Mazagon: but in response to a memorial addressed to Government in 1853, it was removed in 1854 to a building known as the Billiard Room (the present office building) on the verge of the Esplanade and to an adjoining house, which was at that date used as a racquet court. These two buildings were transformed into a single court and office about 1857 and were occupied by the Court until 1863 at a rental of Rs. 325 per month. In 1864 Government took the three buildings, which still constitute the court premises, on a five years' lease at Rs. 1800 per month, which was reduced to Rs. 1100 per month in 1870. In 1886, when the proposal to locate the Small Cause Court in the new High Court building had been rejected at the instance of the Chief Justice, Sir Michael Westropp, Government purchased the old Small Cause Court buildings for 1½ lakhs; and these, with certain additions made in 1903, still constitute the court-house and premises. The building of a new court-house has recently been sanctioned by Government.

The following statement shows the number of suits instituted between 1887 and 1908, the amount in litigation, and the annual net profit to Government :—

Year.	Number of suits filed.	Amount in litigation in thousands of rupees.	Net profit to Government in thousands of rupees.	Year.	Number of suits filed.	Amount in litigation in thousands of rupees.	Net profit to Government in thousands of rupees.
1887	34,758	31,46	1,18	1898	24,227	33,65	1,10
1888	31,899	30,85	1,05	1899	23,749	34,67	1,13
1889	33,695	36,98	1,50	1900	19,557	30,51	84
1890	32,412	35,58	1,44	1901	20,857	31,99	98
1891	29,555	33,56	1,15	1902	21,640	33,28	1,03
1892	31,508	34,51	1,42	1903	20,554	30,07	89
1893	31,710	33,94	1,25	1904	23,984	35,53	1,22
1894	33,900	35,69	1,36	1905	23,295	36,38	1,34
1895	31,475	35,31	1,25	1906	25,853	37 59	1,42
1896*	27,848	33,64	1,18	1907	24,791	41,00	1,61
1897	22,503	31,23	1,01	1908	25,762	46,00	1,89

* The decline in the number of suits since 1896 is attributed to recurring epidemics of plague.

The Presid Magis

At the outset of the nineteenth century no special regulations existed for dealing with crime or with minor offences within the limits of Bombay island ; and such offences as were committed were punished under rules applicable to the whole of the British dominions in Western India, which consisted of Surat, Salsette, Bombay and Bankot. But by 1812 public attention had been directed towards the need of reform in matters both of police and sanitation ; and on the 25th March in that year a "Rule, Ordinance and Regulation" was passed "for the good order and civil government of the island of Bombay," whereby a Senior and Junior Magistrate of Police and a Court of Petty Sessions were created.[1] The Senior and Junior Magistrates of Police were both Justices of the Peace, the former exercising jurisdiction over the Fort and Harbour and the latter over the rest of the island ; and both of them were bound to attend their respective offices from 10 a.m. to 3 p.m. daily, to give public intimation at the police-office of places where they might be found at any hour of the day or night, and in case of

[1] Up to 1830 there were two Magistrates. In that year a third was added for the Mahim division. The Senior Magistrate held office in the Fort, the second at Byculla, and the third at Mahim.

sickness to provide another Justice of the Peace to act in their stead. The powers of both officials were limited, permission being granted to perform only such acts as were permitted to a Justice of the Peace under the English law; and even after the passing of the Police Acts, XIII of 1856 and XLVIII of 1860, their power of punishment was limited to sentences of not more than six months' imprisonment and their jurisdiction to offences affecting property not exceeding in value fifty rupees. All other cases were committed either to the Court of Petty Sessions or to the Recorder's Court, the former Court consisting of three members, namely, the two Magistrates of Police and a Justice of the Peace, who served in rotation and were bound to hold a Petty Sessions every Monday morning at 10 a. m. at the police office in the Fort. The constitution of this Court of Petty Sessions was subsequently amended by Rule. Ordinance and Regulation I of 1834 (Bombay), which, though not registered in the Supreme Court as required by Statute 47, George III, was subsequently legalized by Act VII of 1836, passed by the Government of India. Under the said ordinance the Court consisted of not less than three Justices of the Peace, one of whom was a Magistrate of Police, the second a European, and the third a native of India, not born of European parents: while, at the time of its abolition in 1877, its powers extended (*a*) to the trial of any person committed by a Police Magistrate on a charge of theft, embezzlement, the instigation or abetment of these offences, and fraudulent disposal of property (sections 27—30 of Act XIII of 1856), (*b*) to the issue of warrants and summonses (section 109 of Act XIII of 1856), (*c*) to the determination of the amount of compensation damages, and costs payable under the Bombay Municipal Act of 1872, and (*d*) to the summary trial by Regulation XXI of 1827 of cases of smuggling opium and abetment of that offence where the value of the goods seized did not exceed Rs. 500.

In 1846 owing to the gradual increase of criminal work the permanent office of Third Magistrate of Police was created. Mr. L. C. C. Rivett was the first holder of the post; and was succeeded in office by other Europeans up to the year 1865, when Mr. Dosabhoy Framji was appointed.

Since that date this appointment has been held on several occasions by natives of India. The three Magistrates of Police and the Court of Petty Sessions were finally abolished by the Presidency Magistrates' Act of 1877, which empowered the Presidency Magistrates to pass sentences of (*a*) imprisonment not exceeding a term of two years (including such solitary confinement as is authorized by law) (*b*) fine not exceeding Rs. 1000, (*c*) whipping, (*d*) any lawful sentence combining any of the sentences which they are authorized by law to pass, and which also empowered them to dispose of all cases formerly committed to the Court of Petty Sessions and of a large proportion of cases formerly tried by the High Court. The Act of 1877 was subsequently repealed by the Criminal Procedure Code (Act X of 1882), whereby the Second and Third Presidency Magistrates were placed on substantially the same footing as Magistrates of the First Class, and the Chief Presidency Magistrate was granted powers similar to those exercised by a District Magistrate over subordinate Magistrates. These powers were subsequently confirmed by the amended Criminal Procedure Code (Act V of 1898). In 1888 Mr. Crawley-Boevey, then Chief Presidency Magistrate, drew the attention of Government to the enormous volume of work with which he and his two colleagues had to deal, and suggested the appointment either of Honorary Presidency Magistrates or of an additional stipendiary Magistrate to cope with the work. As a result of his representation, the office of Fourth Presidency Magistrate was created in 1892, Mr. P. H. Dastur, the Deputy Collector and City Magistrate of Ahmadabad, being appointed to the post.

The four Presidency Magistrates of Bombay are subordinate to the High Court and are under its judicial supervision.[1] The Chief Presidency Magistrate, apart from his ordinary magisterial duties and his control of his three colleagues, has various miscellaneous duties to perform within the limits of the island of Bombay. Thus he is

[1] Up to 1855 the office of Senior Magistrate of Police was always held by covenanted civilians, the most notable of them being perhaps Mr. P. W. Legeyt who was publicly thanked by the merchants and underwriters of Bombay in 1845 for his exertions in the cause of order. Since that date the office of Senior

Revenue Judge under the Bombay City Land Revenue Act II of 1876, Judge of the Court of Survey for the disposal of cases arising under the Indian Merchants Shipping Act (VII of 1880), and President of Marine Enquiries. He also acts as President of the Committee of Management of the Government male and female workhouses, and as Chairman of the visiting board of the two local prisons. The other Presidency Magistrates are also members of the Committee of Management, Government Workhouses, and are visitors of the Lunatic Asylum and local prisons.

In 1904, owing partly to a representation from the Justices of the Peace and partly to the suggestion of the Chief Justice and Judges of the High Court that relief should be afforded to the stipendiary Presidency Magistrates in the disposal of unimportant cases, three benches of Honorary Presidency Magistrates were established in Girgaum, Mazagon and Dadar respectively, with co-ordinate jurisdiction over the whole of the area comprised within the limits of Bombay. Each of the three benches is divided into sections containing not less than four honorary magistrates apiece; and one section of each bench sits daily at 8-45 a.m. to hear cases arising under certain sections of the City of Bombay Police Act (IV of 1902), of the Prevention of Cruelty to Animals Act (XI of 1890), of the Act for the Regulation of Public Conveyances in Bombay (VI of 1887), of the Bombay Prevention of Gambling Act (IV of 1887), of the Indian Railways Act (IX of 1890), and under section 352 of the Indian Penal Code. A fourth Court of this kind was established in 1908. The work is distributed according to the police-divisions of the island, cases arising in divisions C and D being assigned to the Girgaum Bench, in B and E to the Mazagon bench, in F and G to the Dadar

Magistrate and later of Chief Presidency Magistrate has been held by barristers not previously in the public service. The Second Magistrate's office has been held both by Government servants and non-officials and on five occasions by natives of India. Of the 21 gentlemen who have filled the office of Third Magistrate since 1846, nine have been natives of India, and none have been Government officials; while the post of Fourth Magistrate has been almost exclusively filled by native gentlemen following the legal profession.

bench, and in A, H and I to the Fort bench. Cases arising in A division are for the sake of convenience brought before the stipendiary Presidency Magistrates at the Esplanade Police Court.

At the earliest period of which record remains, the Senior Police Magistrate's Court was situated in Forbes street within the Fort. It was subsequently removed to a shed in the Government Dockyard and thence to a building in Hornby road, in which both the Senior and Third Magistrates used to preside. In 1889 the courts of the Chief and Third Presidency Magistrates were finally removed to the present building on the Esplanade, which was erected by Government for their accommodation. The Second Magistrate's Court was originally located in Mazagon and was then removed to Maharbaudi in Girgaum in 1868, but as this situation proved inconvenient both to the police and the public, the court was finally removed in 1893 to a Government building in Nesbit Lane, Mazagon. The Fourth Presidency Magistrate, who was temporarily accommodated in the Esplanade Police Court after his appointment in 1892, also sits with the Second Presidency Magistrate in Mazagon.

The following table gives details of the work done by the Police Magistrates' Courts since 1871 :—

	1871	1881	1891	1901	1908
Number of Stipendiary Magistrates	3	3	3	4	4
Total number of persons under trial	29,000	31,399	25,892	26,648	61,807
Total convicted	15,312	25,707	22,453	21,019	51,321
Total committed	162	44	73	69	79
Total acquitted or discharged.	13,487	5,630	3,307	5,357	10,255
Persons concerned in offences relating to or against—					
Persons	26,967	28,466	22,685	22,309	57,876
Property	2,033	2,933	3,207	4,339	3,931
Other Sections of the Indian Penal Code	3,215	23,028	5,369	8,719	13,477
Offences under Special and Local Laws	25,785	8,371	20,523	17,929	48,330

olice.

The earliest authentic mention of a police-force in Bombay occurs during the governorship of Gerald Aungier (1669-77) who organized the Bhandaris into a rude militia under the command of Subehdars with their headquarters at Mahim, Sewri, Sion and other natural divisions of the island.[1] This force was strengthened in 1694 by the establishment of night-patrols, which were charged with the duty of arresting robbers and "sundry base people, who went about work in company in the night, designing ill to some of the inhabitants". In spite of these precautions, however, lawlessness was rampant in Bombay during the 17th and 18th centuries,[2] and led in 1771 to the conversion of the Bhandari militia into a regular police force. The whole force consisted of 48 officers and 400 privates, who furnished a night-guard of 100 men and 12 officers for the protection of the woods. The night-guard was distributed as follows :—4 officers and 33 men at Washerman's Tank (Dhobi Talao), 4 officers and 33 men at Major Mace's house, and 4 officers and 34 men at Mumbadevi Tank ;[3] and these bands, which were in communication with one another, patrolled the entire area between Dongri and Back Bay from nightfall till dawn, and arrested all Europeans without passes from the Secretary to Government, "all coffrees (Zanzibar slaves) they might find in a greater number than two together or armed with swords, knives, sticks or bludgeons," all runaway slaves,[4] robbers, housebreakers, drun-

[1] Bombay Gazetteer Materials, XXVI, Part III. Bruce's Annals, II, 319.

[2] The Government at this period took no direct part in police arrangements, save as Justices of the Peace assembled in Quarter Sessions. Warden's Report of 1810 in Morley's Digest of Reported Cases in India, II, 458.

[3] Bombay Gazetteer Materials, XXVI, Part III, (p. 58 *et seq.*) gives further details.

[4] The import and export of slaves at Bombay was forbidden by a Proclamation of 26th February, 1805 (see Bombay Courier, 2nd March, 1805). But the trade was still carried on illicitly thirty years later. Fontanier, the French Vice-Consul at Basra, describing his voyage from Bombay to the Persian Gulf in 1835, remarked :—" Il y avait pour passagers quelques Persans et deux jeunes abyssiniens. En nous enquerant de l'origine de ces derniers, il se trouva que c'é 'taient des régres achetés à Bombay aux bateaux qui viennent des cotes d'Afrique et ne manquent pas d'en apporter. On les debarque dans des palanquins en disant

ken sailors and soldiers out of bounds. In spite of these measures, robbery and violence without the Town gates flourished unchecked, and at length in 1779, at the instance of the Grand Jury,[1] additional sepoys were enrolled for night duty in the woods and oarts, and a proper civil police department was organized under an officer styled the Lieutenant of Police. The first holder of this post was Mr. James Todd, who was vested with full power to conduct enquiries, issue summonses and "pursue all legal measures" for the detection and eradication of crime.[2]

The Directors of the East India Company however looked with scant favour upon the appointment, chiefly because the officer's salary was paid from the Company's coffers, and suggested the imposition of a tax to cover the cost of an appointment which was so manifestly for the public benefit. After some discussion therefore the post of Lieutenant of Police was abolished and that of Deputy of Police with a salary of Rs. 3000 per annum was created in 1780, the cost of the appointment and of the general force being defrayed from the "county assessment." Mr. James Todd was appointed to this post by a subsequent order of the Court of Sessions.[3] In 1779 the Lieutenant of Police had laid before Government a draft set of police regulations, based upon notifications and orders previously issued from time to time at the Presidency and

que ce sont des femmes, et la douane les laisse passer comme tels, moyennant un leger cadeau ; ils sont d'un certain age, ondit que ce sont des matelots ou des domestiques, et on les vend ou on les achete sans grande difficulté. On en expèdie même une grande quantitè dans l'interieur."

[1] Morley, Vol. II, 486.

[2] Subsequently the Grand Jury of Bombay "presented the said James Todd as a public nuisance and his office as of a most dangerous tendency and earnestly recommended that it be immediately abolished as fit only for despotic government where a Bastille is at hand to enforce its authority." Sir J. Mackintosh in Morley, II, 513.

[3] In 1790 Mr. Todd was tried for corruption. "The principal witness against him (as must always happen) was his native receiver of bribes. He expatiated on the danger to all Englishmen of convicting them on such testimony : but in spite of a topic which by declaring all black agents incredible, would render all white villains secure, he was convicted, though—too lenient a judgment —he was only reprimanded and suffered to resign his station." Morley II, 513.

approved by His Majesty's Justices: and these draft regulations were confirmed and promulgated on the 26th January, 1780.[1] They were revised in the same year on the lines followed by the police regulations then existing for Calcutta;[2] and it was further laid down that "a Bench of Justices during the recess of the Sessions should be authorized from time to time to make any necessary alterations and amendments in the code in question, subject to their being affirmed or reversed at the General Quarter Sessions of the Peace next ensuing after such alterations and amendments had been made, and only to be in force till then."[3]

The police arrangements however were still far from perfect, and in 1787 the Grand Jury were forced to protest most strongly against "the yet inefficient state of every branch of the police", and to point out that "that part of it which had for its object the personal security of the inhabitants and their property was not sufficiently vigorous to prevent the frequent repetition of murder, felony and every other species of atrociousness."[4] The Grand Jury animadverted upon the difficulty of procuring trustworthy servants; upon the defective condition of the roads; "the filthiness of some of the inhabitants, being uncommonly offensive and a real nuisance to the society;' upon the obstruction caused by the piling of cotton on the Green and in the streets; upon the bad state of the markets and various other matters; upon "the great increase of robberies and mighty depredation", and begged therefore for the appointment of a Committee of Police with full powers to frame regulations and carry them into effect. Nothing however was done; and in 1793 the Grand Jury were obliged to return to the attack, and de-

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[1] These were the only regulations for the better management of the police that were passed in a formal manner. They were registered in the Court of Oyer and Terminer and Gaol Delivery on the 17th April. 1780. Proclamations and regulations had been issued in 1769. Morley, II, 485.

[2] Bombay Gazetteer Materials, XXVI, III, 64.

[3] Morley, II. (Letter from Chief Secretary to Government and President of the Police Committee, 18:0) Bombay Gazetteer Materials, XXVI, 67.

[4] Morley, II, 488.

mand an immediate enquiry into the state of the police force.[1] This representation resulted in the passing of the Police Act of 1793; and in 1794 the Deputy of Police, who had been included in His Majesty's commission of the peace, had his title changed to that of Superintendent of Police.[2]

In 1795 His Majesty's Justices reviewed the condition of the patrol-establishment, and, in view of the fact that the system of espionage in Dongri and the woods had proved wholly ineffective, they decided to post two constables to each division (which then numbered 14 in Dongri and the woods) and to distribute 130 peons in the divisions according to circumstances. They at the same time abolished an establishment of round-guards, maintained up to that date by the arrack-farmer, one clerk of militia, 4 havildars and 86 sepoys, who had been employed at a cost of Rs. 318 per mensem. Traffic in stolen goods was at this date one of the most lucrative professions and obliged the Justices of the Peace in 1797 to nominate individual goldsmiths and shroffs as public pawn-brokers for a term of five years, on condition that they gave security for good conduct and furnished the police with regular returns of valuable goods sold or purchased by them.[3] Other fruitful sources of complaint were the roads and the markets, which led in the same year to the department of the Surveyor of Roads being placed in charge of the Superintendent of Police, while in 1800 the old office of Clerk of the market was also annexed to that appointment. Towards the close of 1801 the Chiefship of Mahim was abolished and that portion of his duties which related to police and magesterial matters was also vested in the Superintendent, a course which obliged the authorities to create an additional appointment of Deputy Superinten-

[1] Morley, II, 489.

[2] In the interval he had been styled Deputy of Police and High Constable; but no evidence is forthcoming as to when the office of High Constable was annexed to that of Deputy of Police. Mr. Halliday was appointed High Constable in 1793, and Sir Francis Gordon held the post in 1794 on a salary of Rs. 100 a month. Probably the office of High Constable was created prior to 1780. Morley, Vol. II, 490. In 1795 the town consisted of one European constable on Rs. 55, 13 native constables and 42 peons.

[3] Bombay Courier, 4th February, 1797.

dent officiating in the Mahim district. The Superintendent at this date was also entrusted with certain minor duties such as that of Secretary to the Buildings Committee and member of the Town Committee.

The inefficiency of the police force was a subject of such constant complaint during the opening years of the nineteenth century, that a Police Committee was appointed in 1809 to suggest measures for improving it and rendering it less obnoxious to the public. Sir James Mackintosh in his last address to the Grand Jury (1811) spoke strongly of the system of unauthorized punishment by the police at the police office, which then existed, and was corroborated by Turkin who compared the slow and cautious progress of the legislature in Bombay with the rapid acquisition by the Bombay police of powers of inflicting corporal punishment, "neither moderate nor reasonable," banishment and public hard labour upon their victims. "A Superintendent of Police", he added, "may arrest 40 men in the morning; he may try, convict and condemn them in the forenoon, and he may close the day by exercising the royal prerogative of pardon towards them all."[1] These circumstances led to the promulgation of Rule, Ordinance and Regulation I of 1812, drafted by Sir James Mackintosh, whereby the active functions of the police were vested in a Deputy, the control and deliberative powers in a Superintendent General of Police, and the power of appointing individuals to subordinate posts in the force in a body of Divisional Magistrates, who together with the Superintendent met once a month as a Bench to consider all matters connected with the police. The Regulation also provided for the inclusion in the police establishment of the mukadams of each caste in the island, and further for the appointment of a sufficient number of European Constables, appointed by the Justices at the Quarter Sessions.[2] Even this reorganization failed to place any appreciable check upon crime. Gangs of criminals burned ships in Bombay waters in order to defraud the insurance companies,[3] robberies by armed gangs took place in

[1] Bombay Courier, July 1811. Morley, Vol. II, p. 511.

[2] History of Municipal Corporation, Michael, p. 345.

[3] *Vide* History of Ali Paru's gang (1810) in Times of India, July 27, 1872.

various parts of the island,[1] and nearly every householder was compelled to employ private watchmen who might or might not be in league with the desperados of the lower quarters. Partly on this account and partly by reason of a rapid increase in the occupied area the police force was largely augmented in 1839, the Bench of Justices increasing their contribution to Government for police charges to Rs. 10,000 per annum; while in 1844 a succession of harbour robberies, perpetrated by gangs who sailed round in boats from Back Bay, led to the constitution of a floating police force under a Deputy Superintendent on Rs. 500 per mensem.[2]

Up to the year 1856, indeed, little was done towards checking criminality in spite of increased expenditure on the police force. Housebreaking was rife in Colaba, Sonapur, Girgaum and Kalbadevi;[3] and continual complaints of dishonesty among the European constables and of the gross inefficiency of the native rank and file were received both from private persons and from public bodies, notably the Chamber of Commerce.[4] These complaints, coupled with other circumstances of a questionable nature, induced the Bombay Government to institute a searching enquiry into the whole subject in 1855 and, the enquiry having amply proved the prevalence of wholesale corruption in the police force, drastic executive measures were at once taken and Act XIII of 1856 was passed for the future constitution and regulation of the force. The credit for the introduction of these drastic reforms and for the restoration of public confidence by 1857 belongs entirely to Mr. Forjett, who was appointed to the immediate command of the police in 1855 and at once instituted a thorough enquiry for which he was peculiarly well fitted by reason of

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[1] Bombay Courier, March 3, 1827. Mrs. Elwood's Narrative of an Overland Journey, 1830. By 1838, according to Mrs. Postans (Western India in 1838), matters had greatly improved and robberies had become far less frequent.

[2] Bombay Times, August 10, 1844. The first holder of this appointment was Mr. Dunlop, 3rd assistant to the Master Attendant of the Dockyard. One famous gang was known as the Bandar Gang (see Bombay Times, 22nd Feb. 1845).

[3] Bombay Times, July, 31, 1844.

[4] Report of Bombay Chamber of Commerce, 1854-55. pp. 11-12; Bombay Times, September 16, 1854.

his natural acuteness, past services, and linguistic ability.[1] The value of his services may be gauged from the fact that whereas in 1855 only 23 per cent. of stolen property was recovered, the amount recovered in 1856 was 59 per cent. and further that in 1859 a representative body of native gentlemen presented an address of thanks to him and subscribed "a sum of upwards of £1,300 sterling for the purpose of offering to him a more enduring token of their gratitude and esteem."

Act XIII was shortly afterwards amended by Act XLVIII of 1860, which legalized further changes designed to increase the efficiency of the force and gave the police wider powers for the regulation and prevention of nuisances. Since July 1902 all previous enactments have been annulled in favour of Bombay Act IV of 1902, which vests the entire control of the city police force in the Commissioner of Police. The office of Commissioner dates from the year

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[1] Mr. Forjett had been a Faujdar; but had risen to the post of Superintendent in the mofussil. Mr. K. N. Kabraji (Reminiscences of fifty years ago) writes :—"At a time when the public safety was quite insecure, when the city was infested by desperate gangs of thieves and other malefactors, he (Forjett) had to use all his wonderful energy and acuteness to break their power and rid the city of their presence. He strengthened and reformed the police, which had been powerless to cope with them. There was a notorious band of athletic ruffians in Bazaar Gate Street, consisting chiefly of Parsis. They used to occupy some rising ground, from which they swooped down on their prey. Their daily acts of crime and violence were committed with impunity, and their names were whispered by mothers to hush their children to silence."

"I may here give a personal instance of the insecurity of the times. As I was returning one night with my father from the Grant road theatre in a carriage, a ruffian prowling about in the dark at Falkland road snatched my gold embroidered cap and ran away with it. The road had been newly built and went through fields and waste land. Khetwadi, as its name implies, was also an agricultural district. Grant road, Falkland road, and Khetwadi were then lonely places on the outskirts of the city, and it is no wonder that wayfarers in these localities could never be secure of purse or person. But on the Esplanade, under the very walls of the Fort, occurred instances of violence and highway robbery which went practically unchecked. Not a few of the offenders were soldiers themselves. They used to lie in wait for a likely carriage with a rope thrown across the road, and on the approach of the vehicle they raised the rope so that the horse stumbled and fell, and then they rifled the occupants of the carriage at their leisure. It was Mr. Forjett whose vigilance and activity brought all this crying scandal to an end." See also Gen. Adm. Rep. 1855-56; 1858-59; and supplement to Bombay Times, 23rd June 1858.

1864 when on the recommendation of Colonel Bruce the Bombay Police was greatly strengthened to correspond with the forces in Calcutta and Madras. He proposed to unite the appointments of Police Commissioner and Municipal Commissioner; but this suggestion was negatived and the senior officer of the police force was appointed Commissioner of Police.

A statement showing the total strength of the police force at different periods from 1865 to 1909 is subjoined :—

	1865.	1875.	1885.	1895.	1905.	1909
Commissioner	1	1	1	1	1	1
Deputy Commissioner...	...	1	1	1	1	2
Superintendents	6	5	6	9	9	9
Inspectors	22	19	20	30	30	33
Sub-Inspectors	12	15	16	35	35	42
Jamedars	24	22	28	40	40	45
Havildars	62	54	61	108	110	113
Men	1,216	980	990	1,897	1,925	2,009
Mounted Police	13	33	33	105	105	100
Total..	1,356	1,130	1,156	2,226	2,256	2,354

For police purposes the city is divided into 7 divisions, each in charge of a Superintendent; and these are again sub-divided into sections, each in charge of an inspector aided by a sub-inspector. The senior native police officer in each section is a jamedar, who is assisted by a havildar. Naiks and 2nd class constables are engaged on patrol duty, and 3rd and 4th class constables on fixed or other posts. As a general rule two-thirds of the force are always employed on night-duty and the remainder on day-duty. The Water Police deals with crime in the harbour, including Oyster-rock, Middle Ground and Cross Island Batteries and Butcher's Island, helps to preserve order on ships of all countries, watches for the import or export of slaves, reports the arrival of Arab adventurers and assists the Port Health Officer to carry out the provisions of Bombay Act VI of 1867.[1] The police in

[1] Prior to 1861 the Water Police were controlled by a Superintendent and the land police by an Assistant Deputy Commissioner, and the two bodies were unconnected with one another.

the docks form a separate division and guard the gates and wharves. The Criminal Investigation Department, which is under the immediate control of the Police Commissioner, consists of a Deputy Commissioner, Superintendent, 6 inspectors, 7 sub-inspectors and native officers and men, and attends to all serious crimes in any part of the island : while the L division, divided into two sections of armed and unarmed, is employed in emergencies, acts as an escort for treasure and prisoners and furnishes guards to lock-ups. The unarmed section is utilized at processions, leveés, public meetings and fires to keep order in the streets. [1] The mounted police under a commandant patrol various parts of the city and are utilized in emergencies. The subordinate police force is chiefly recruited from the Marathas of the Konkan and the Muhammadans of the Deccan, the minimum standard of height required being 5 ft. 4 inches.

Divisions.	Number of Police Stations.	Number of Out-posts.	Staff.				Ratio of Police unit to	
			Officers.		Men.	Total.	Population.	Area in acres.
			European.	Natives.				
A ...	5	66	12	23	385	420	149	3·23
B ...	4	55	10	14	241	265	580	2·20
C ...	4	61	10	14	284	303	646	1·55
D ...	4	39	7	14	198	119	641	8·32
E ...	5	44	13	18	239	270	723	6·51
F ...	2	33	2	10	109	121	772	23·46
G ...	2	32	2	7	146	165	656	20·01
H ...	1	18	4	9	87	100	...	...
I ...	1	32	3	8	104	115	...	...
K ...	...	...	9	17	28	54	...	...
L ...	...	...	8	24	188	220	...	...
M ...	...	...	4	17	83	104	...	...
Total...	28	380	84	175	2092	2,351	...	...

[1] From 1859 to 1887 the Fire Brigade was manned by police. Since the latter date the Municipality has been solely responsible for the brigade.

Criminal classes and foreigners are well represented in the city. The Mhar and Mang dacoit from the Deccan, the Kathiawari beggar, the Waghri thief, the Pardesi and the Pathan all find a home in the more crowded quarters; and, while usually following some trade and calling, are not averse to thieving and house-breaking. In fact the bulk of the ordinary crime of the city is the work of people from other parts of India, who make constant use of the train-service to and from Bombay. The local population of the city is generally law-abiding; while the existence of the properly conducted Sailors' Home and the construction of the Prince's and Victoria Docks have practically put an entire stop to disorderliness on the part of sailors. On occasions, such as an outbreak of famine, an increase of crime occurs in the city and is usually obviated by wholesale deportation of immigrants. The number of criminals at work in Bombay is estimated at from 3,000 to 4,000; and during the last 19 years nearly 1,000 have been registered on release from jails. During the same period 80 foreigners (Arabs) were deported, and the same action was taken under Act III of 1864 in the case of 134 foreign (European) procurers. The average number of vagrants and bad characters annually dealt with is about 120, the former being sent to the Government workhouses and the latter being convicted and lodged in jail in default of furnishing security.

A statement of the details of cases reported by the police is subjoined :—

Annual average for five years ending.	Number of cases and persons convicted.			Estimate (Rs.) of property stolen and recovered.	
	Cases.	Arrests.	Convictions.	Stolen.	Recovered.
1870	15,581	24,283	13,512	1,28,129	58,151
1875	16,050	23,553	14,079	98,604	65,678
1880	24,302	26,298	19,903	1,45,852	85,810
1885	29,908	32,698	28,758	1,59,661	85,308
1890	20,666	24,386	23,244	2,13,538	1,10,861
1895	27,633	32,199	30,139	2,96,306	1,53,669
1900	32,411	37,008	34,448	3,32,991	1,37,034
1905	30,814	43,759	41,643	3,37,665	1,61,818
In 1908	40,824	44,054	41,546	3,52,968	1,98,931

Between 1872 and 1888 the cost of the Bombay Police was recovered from the Municipality in accordance with sections 137 and 138 of Bombay Act III of 1872, and after the latter date according to section 62 of Bombay Act III of 1888. In 1907 Bombay Act was passed, whereby Government have taken upon themselves the whole burden of the Police-charges, while the cost of primary education and within certain limits the cost of medical relief in the city is defrayed by the Municipal Corporation. The Port Trust pays a moiety of the cost of the Water Police and the entire cost of the Police employed in the docks.

The following table shows the cost of the Bombay City Police from 1897 to 1908 :—

Year.	Cost in thousands of Rupees.	Year.	Cost in thousands of Rupees.	Year.	Cost in thousands of Rupees.
1897	8,02	1901	8,04	1905	7,92
1898	7,60	1902	7,73	1906	8,37
1899	7,59	1903	7,91	1907	8,69
1900	7,93	1904	7,92	1908	9,75

The Jail.

No definite reference to the existence of a jail in Bombay occurs until the year 1671, when Gerald Aungier proposed to the Court of Directors that a " fair common-house " should be built, containing " chambers for the courts of justice, warehouses, and prisons for several offenders." Prior to that date, in all probability, a portion of Bombay Castle was utilised as a jail ; and local residents affirm that offenders were incarcerated in a portion of the old ramparts covering the site of the modern Mint road.[1] Aungier's fair common-house, now known as Mapla Por, was in course of construction in 1672 and was ultimately completed in 1676, the portion reserved for a jail being the ground floor of a row of buildings facing the bazaar, from which the prisoners were able to beg relief of the passers-

[1] Mr. Dinsha E. Wacha writes:—" In the Mint road, Fort, in a northerly direction a part of the old ramparts was said to be a jail in the time of the Portuguese. I remember to have seen it often as a boy, before the ramparts were removed."

by.[1] It was to this jail that the Roman Catholic priest who converted one Nathaniel Thorpe was committed by Judge Vauxe on the 11th April 1687, and here too perhaps Rama Kamati was at first confined by Governor Boone when erroneously convicted of treasonable dealings with Angria. Between 1720, when the Court House was removed to Rama Kamati's buildings, and 1728 no reference to a prison can be traced, but it seems probable that at least during the later period prisoners were confined in Dongri fort near the site of the present European General Hospital.[2] The question of improving this fort and converting it into a permanent jail was raised by the Justices in 1728, and the Bombay Council resolved that this proposal should be carried out at a cost of Rs. 2000 which was to be raised by a tax upon both European and Native inhabitants.[3] The work, however, was eventually shelved and, to judge by contemporary records, a separate building was erected close to the Fort at a cost of Rs. 5000. In 1739, when the Bombay Council apprehended the possibility of a Maratha invasion, Dongri fort was strengthened and the prison at Dongri was demolished, the inmates being accommodated in a house belonging to a Modi or licensed victualler, situated within 200 paces of the Fort, at a rental of Rs. 25 a month, and this house was apparently utilized as a prison until 1745 when it had fallen into considerable disrepair.[4] "The house rented by the Honourable Company of the Modi at Rs. 25 a month," remarked the Council in March of that year, "and used for the county prison, requiring such costly repair as neither the Modi nor the county agree to meet, and considering that the

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1 Bombay Gazetteer Materials III., pp. 4 and 608. The jail occupied the east or Bohra Bazaar front of the Court House which is the central ruin in the enclosure now known as Mapla Por. The jail was still in this building in 1687. The practice of making prisoners support themselves by begging through the bars of their cells was long continued in England, and was in force till a recent date in Goa.

2 Prisoners could hardly have been kept in Dongri fort in 1689-90, when the Sidis raised batteries on the hill. On the other hand Dongri fort had been used as a prison some time before 1728. (*Vide* Bombay Gazetteer Materials, II. 513 and III. 22).

3 Bombay Gazetteer Materials, III. 609.

4 Bombay Gazetteer Materials, III. 609 (foot-note 3).

county has already laid out Rs. 5000 in building the prison at Dongri since demolished upon erecting the new fortification, it is agreed that some of the lower rooms of the house in the Marine Yard be appropriated for a prison.[1]"

Grose, writing of the island a few years prior to 1750, describes "a small untenable little fort on Dongri Point of no defence and which serves now for the town prison for debtors or criminals," and apparently Dongri fort continued to be used as a jail until its demolition in 1769.[2] But from that date the original proposal of 1745 was acted upon and prisoners were lodged in the Marine Yard. The accommodation thus provided was far from satisfactory. Debtors and felons had to be incarcerated together owing to lack of space; the proceeds of the county cess levied on the householder for jail purposes were not sufficient to keep the buildings in proper repair; and on three occasions the Grand Jury drew the attention of Government to the ruinous state of the jail. As a result of these representations Government decided in 1777 that the jail was "ruinous insecure and unfit for the use to which it was put," and suggested firstly the conversion of a part of Fort St. George into a jail and subsequently the extension of the Marine Yard jail.[3] The cost of both these projects prohibited their being executed, and, save for certain alterations carried out in 1779 and designed to separately accommodate debtors and criminals, nothing was done until 1799 when a plot of land was purchased at Umarkhadi and the present jail was commenced. It was completed in 1804 during the governorship of Jonathan Duncan and bears an inscription to that effect on its western gateway.[4] A few years later the Umarkhadi Jail proved too small for the convenient accommodation and employment of all convicts, and the House of Correction at Byculla was accordingly built, prisoners being admitted into it for the first time in 1827.[5]

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[1] Bombay Gazetteer Materials, II. 282, 513 and III. 22.

[2] Grose's Voyage to the East Indies. I, 49. Bombay Gazetteer Materials. II. 376-377.

[3] Bombay Gazetteer Materials. III. 609, 610.

[4] Bombay Gazetteer Materials, III. 611.

[5] Preamble of Reg. III., Bombay Courier, 24th July 1827.

The Umarkhadi Jail, which is situated in Dongri, is now known as His Majesty's Common Prison, and is called by the people the "*Juna Turung*" or Old Jail. Built upon rocky and well-drained ground, it occupies an area of 10,674 square yards. The Civil Jail is located within the walls of the Common Prison, being divided by a wall from the criminal side. The staff consists of a superintendent,[1] a jailor, a matron, a hospital assistant and 23 warders, of whom the four first named and a clerk are accommodated in the prison. The Presidency Surgeon, 3rd District, is *ex-officio* medical officer of the prison. The criminal portion is divided into a hard labour yard, offices, hospital, punishment cells, female yard, and quarantine yard, and provides accommodation for 181 male and 31 female prisoners. The hospital has room for 32 beds. Native criminals sentenced to death, transportation or imprisonment by the High Court, all female prisoners, native prisoners awaiting their trial, and those sentenced to a term of imprisonment not exceeding one year are confined in the Common Prison. As the prison is intended only for those undergoing comparatively short terms of imprisonment, extensive factory operations are not possible, and the prisoners are usually employed in picking old cordage, grinding, spinning and the manufacture of cloth for their own use. The daily average number of prisoners confined in the Common Prison during 1908 was 403 including 29 females, and the cost of the institution amounted to Rs. 36,392.

Uma[rkhadi] Jail.

The Civil Jail, which was formerly known as the Government Workhouse, is located within the walls of H. M's. Common Prison, but has a separate entrance. It comprises a large dormitory with accommodation for 36 males, a separate building for females and cells for Europeans with an exercise yard. The staff consists of a clerk, 8 warders and a menial, the Superintendent of the Common Prison being *ex-officio* Superintendent and Jailor of the Civil Jail. Defaulting debtors, persons who fail to pay Government dues or the amount of forfeited bonds,

The [Civil] Jail.

[1] Up to 1878 the Sheriff was in charge of the Prison and Common Jail.

and females sued for restitution of conjuga rights are liable to incarceration in this jail. The practice of committing female debtors to this jail was discontinued in 1894. The prisoners are fed at the cost of the judgment-creditors and are not forced to do any work. The daily average number of prisoners confined in the Civil Jail during 1908 was 21 and the cost of the institution amounted to Rs. 2272.

The House of Correction. The House of Correction, which was opened at Byculla in 1827, has accommodation for 262 pr soners, the prison proper accommodating 226 and the prison hospital 36. Both European and Native convicts are admitted to this institution, a yard capable of accommodating 30 being set apart for the former. In the case of natives, only those sentenced by the Presidency Magistrates' courts to terms of imprisonment for one year and upwards are admitted into this prison; while all European prisoners, whether sentenced by the Presidency Magistrates or Naval authorities in Bombay (under the Naval Discipline Act) are received into this institution. The prison also serves as a depôt for ex-military convicts awaiting deportation, after having been convicted and sentenced by the Civil power and discharged in consequence from the army. Native prisoners under remand or awaiting trial before the High Court Sessions are not accommodated in this prison.[1]

The staff comprises a Superintendent, Jailor, 3 European warders and 23 native warders, of whom the two first-named officials have quarters in the prison and the native warders are accommodated in a building behind the prison. The manufacture of coir matting is carried on in the prison and has acquired a considerable reputation.[2] The daily average number of prisoners in 1908 was 216 (7 Europeans and 209 natives), and the cost of the institution was Rs. 32,156.

[1] During 1893 this rule was relaxed, as within two days 795 persons who had been arrested for rioting had to be incarcerated.

[2] The chief varieties of matting manufactured are known as "sword" (close work), "sinuett" (open work) "brush" (for doorways) and "net" (for ferneries). Other coir articles made are hand rubbers for horses, brushes, boat-fenders, etc.

Besides the prisons mentioned above, Bombay contains eight lock-ups as shown below :— Lock

Names of Lock-ups.	Date of Establishment.	Number of persons confined during	
		1901.	1908.
Esplanade Police Court Lock-up	1888-89	1,115	1,260
Paidhuni Police Station Lock-up	(1)	1,372	1,285
Dhobi Talao Police " "	(1)	1,118	917
Maharbowdi " "	1867	2,999	4,348
Mazagon Police Court Lock-up	1893	13,449	18,120
Bhoiwada Police Station Lock-up	(1)	428	793
Mahim " "	1908	212	175
Prince's Docks " "	1877	189	159
Total ..	....	20,882	27,057[2]

(1) Not known. [2] Of this number 1,852 were females.

Prior to 1865 suspected persons were detained in the various police *chaukis* from day to day ; but since that date the *chaukis* are cleared every night and remanded prisoners are lodged in jail. [1]

Govern work-h

There are two Government work-houses attached to the prisons referred to above. The one contiguous to the House of Correction is intended for male vagrants. The female work-house established in 1884 is in the civil jail. Europeans and Eurasians who are declared vagrants under Act IV of 1874 are detained in this institution until employment is found for them or their friends offer to take charge of them. In some cases they are shipped to Europe. Vagrants are received from all parts of the Presidency[2]. The male vagrants are generally employed in cooking, in attending to the work-house garden, in mending and repairing Government clothes and in opening and plaiting coir for the prison factory. The females keep the premises clean and do a certain amount of

[1] Times of India, September 7, 1865.

[2] The Government work-houses in Madras having been abolished in 1905 vagrants are brought to Bombay and put in these work-houses.

needlework and pick old cordage. All well behaved vagrants are allowed on certain days in the week to go out on a pass to seek employment and a letter is addressed weekly to the Shipping Master, Bombay, informing him of the number of seamen, firemen, etc., in the institution. Deserving cases receive some assistance from the funds placed at the disposal of the president of the committee of management. Divine service is held every Sunday morning and the Roman Catholic Chaplain attends once a month. The Officers of the Prisons are ex-officio governors and deputy governors of the work-houses. The managing committee, under whose direction the governors work, consists of the Chief Presidency Magistrate as President and Second Presidency Magistrate, the Inspector-General of Prisons, the Municipal Commissioner and the Collector of Bombay. The male and female work-houses provide accommodation for males and females respectively:—

	Daily average number of vagrants.	Total cost of maintenance.	Average cost of maintenance per head.
Male work-house ...	26	9,471	274
Female " ...	1	102	33

The Military Forces. 1665-1683.

The history of the Bombay garrison commences with the arrival in 1665 of the remnants of Sir Abraham Shipman's contingent, which originally left England in 1662. At the iatter date the force was composed of four companies of a hundred men apiece with a full complement of officers; but when it finally reached Bombay with Humphrey Cooke after a disastrous sojourn on the island of Angediv, it numbered only 97 privates, 4 sergeants, 6 corporals, 4 drummers, one ensign, a provost-marshall, 2 surgeons, one gunsmith and a gunner's mate with 23 pieces of cannon and 878 rounds of shot.[1] Prior to 1668, when the island passed from the Crown to the East India Company, little had been done towards strengthening the garrison in spite of Sir Gervase Lucas' advice that it should be in-

[1] East India Papers in the State Secretary's Office, 228, 229 230, 235; Edwardes' Rise of Bombay, 102.

creased to 400 men [1]; and as late as December 1667 the total strength of the forces was only 285, of whom 93 were English, and the rest French, Portuguese and Deccanies (probably Hindu recruits from the Deccan).[2] But this condition was soon rectified by the Court of Directors who, according to the terms of agreement between themselves and the Crown, were bound to provide a proper garrison for the island. Their early letters to the President and Council at Surat emphasize the desirability of a military reserve and of forming trained bands or militia to supplement the force recruited direct from England [3] and by the close of 1669 the President was able to inform the Directors that the garrison consisted of two companies of English, French, Dutch, and Portuguese soldiers and a native militia. There is little doubt that the garrison would have continued to increase, had the revenues of Bombay more nearly sufficed to meet the expenditure. But at this date the question of the ownership of land was still unsettled, and the growing deficiency of revenue obliged the Company to order considerable retrenchments, such as the reduction of the two European companies to one of 260 men,[4] the review of the salary of the English Captain in charge of the company which was fixed at £80 a year,[5] and the reduction of the pay of the Portuguese soldiers from $12\frac{1}{8}$ xeraphins to $10\frac{2}{3}$ xeraphins a month [6]

During the latter half of the seventeenth century the Directors' continuous cry was for reduction and retrenchment until such time as trade had increased and the island

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[1] Sir G. Lucas' Report upon Bombay, January 18th, 1665-66.

[2] H. Gary's letter to his Majesty the King, December 12th, 1667. In a letter of the same date to the Earl of Clarendon, Gary remarked that the garrison charges had somewhat increased "by the building of new fortifications, the enlistment of additional soldiers to guard them, and by the cost of a stable of horses prudentially designed by Sir G. Lucas for the entertaining of correspondence from the several parts of this island upon occasion." He also informed Lord Arlington that Dutch alarms had forced him to enrol 150 Deccanies at a total cost of £68-7-6 a month, while the monthly cost of the European troops was £ 226-2-0.

[3] Court of Directors to Surat Council, March 27th, 1668, and August 24th, 1668.

[4] Bombay Town and Island Materials, Part III, 68.

[5] Court of Directors to Surat Council, August 11th, 1670.

[6] Commissioners at Bombay to Surat Council, December 8th, 1668

had become more populous; and even after Gerald Aungier had introduced his land-settlement and had generally inspired a spirit of peaceful progress, the Directors continued to deprecate the manifest desire of their servants in Bombay to enlarge the garrison. The latter had certainly fair grounds for their action in the unhealthiness of the climate which was estimated to cause the deaths annually of one-fifth of the English forces,[1] and in continual alarms of attack by the Dutch or French. Thus in 1672-73 in spite of the desire of the Court to the contrary, the total force on the island comprised :—(*a*) in the Castle, 2 native companies of 250 men apiece; (*b*) in the town, 250 infantry and 250 lances of militia, under an English captain; (*c*) at Mahim, 250 infantry and 250 lances under an English captain; (*d*) at Mazagon, 150 infantry and 150 lances under Sir Alvaro Peres, the lord of the manor; while (*e*) there was an additional force of 100 Moormen (Musalmans) and 100 Bhandaris, armed with clubs and bill-hooks.[2]

Aungier indeed, in spite of the avowed policy of retrenchment, did much towards improving the strengths and appearance of the garrison. He obtained sanction to the supply of uniforms for the troops, "to be of one colour for the greater awe to the adversary";[3] and he was permitted to retain up to 1676 two companies of European soldiers, numbering in all 400, of whom 100 were employed on the Company's ships, while the remainder in bands of 75 garrisoned the Castle in turn, in addition to 3 companies of "Portuguese black Christians", posted at Bombay, Mahim and Mazagon and drilled at least once a month.[4] About the time of his death (1677) this militia consisted of 600 men, all landowners of the

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[1] Captain Shaxton to the Court of Directors, January 3rd, 1673.

[2] Captain Shaxton to the Court of Directors, Jan. 3rd, 1673. Edwardes' Rise of Bombay, 113. It is recorded that when the Dutch fleet actually appeared off Bombay Sir A. Peres fled, his manor of Mazagon being confiscated by the Council at Bombay as a punishment for his cowardice and possible treachery.

[3] Court of Directors to Surat Council, Dec. 13th, 1672.

[4] Aungier's Report to the Court of Directors, Dec. 15th 1673. He remarks in the report that more confidence could be placed in the Moors, Bandareens (Bhandaris) and Jentues (Hindus, *i.e.*, Kolis and others) than in the Portuguese Christians, as the former "are courageous and show affection and good-will to the English Government."

island, while a certain number of Brahmans and Banias, who were unequal to bearing arms themselves, contributed towards its up-keep. A troop of 40 horse was also raised under the command of Captain Keigwin and Cornet John Petit;[1] while the Fort itself was freshly supplied with 120 pieces of ordnance and 60 field pieces in their carriages.[2]

The *morale* of the forces was however far from satisfactory. Drunkenness and disorders of various kinds were common; disease was rife; and there was general and continuous dissatisfaction at the rates of pay allowed by the company, which was aggravated by the spasmodic reductions enjoined by the authorities in England.[3] Even the superior officers were occasionally lacking in morals; and considered it a grievance to be forbidden to enter the names of dead soldiers in the muster-rolls and themselves draw the pay of the deceased.[4] These circumstances contributed to cause two mutinies in 1674, in the earlier of which fifty or sixty English soldiers fled to Malabar Hill and thence to Mazagon, but were subsequently persuaded to lay down their arms. The second mutiny was headed by Captain Shaxton himself, who was brought to trial and eventually pardoned; and of the three minor ringleaders, described by the Bombay Council as "dangerous bloody villains", one was shot and the other two were sentenced "to throw dice for their lives on a drum-head," but were subsequently pardoned. This was the first occasion of the Company's exercise of martial law.[5]

After Aungier's death the authorities in Bombay made a pretence of following the orders for reduction so constantly urged upon them by the Court; but owing presumably to the length of time wasted in the receipt of despatches

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1 Bombay Town and Island Materials, Part III, 72, 73.

2 Edwardes' Rise of Bombay.

3 Bombay Council to Surat, June 14th, 1672. Bombay Town and Island Materials, Part III, 70, 74, 75.—The soldiers were paid in *badgruks* and *duganis*, the loss on the former when passed into circulation being 30 per cent. and on the latter 16 to 18 per cent.

4 Bombay Council to Court, March 15th, 1680-81.

5 Bombay Council to Court, August 20th, 1674.

from England they were on several occasions enabled to enlarge the garrison and subsequently plead political necessity for their action. Thus in 1676 they acquiesced in the abolition of the post of Captain to the Bombay garrison and in the proposal to place a Lieutenant in charge of the two Companies, which were thereupon styled the Governor's Company and the Deputy-Governor's Company; they agreed to disband the troop of horse in 1679; and they carried out in 1680 the reduction of the pay of the "white Portuguese" from 10½ to 5 xeraphins a month, in order that it might accord with the rate allowed to Topasses.[1] On the other hand in 1678, on the plea that the Topass element required leavening, they enlisted several Dutch and Swedes; and in 1680 they persuaded the Directors to agree to the formation of an auxiliary force of two Companies, composed of inhabitants of the island. These companies were to be under the command of two Captains on 100 xeraphins a year each, two Lieutenants on 60 xeraphins, two Ensigns on 50 xeraphins, six Sergeants on 30, six Corporals on 20, together with four drummers on 20.[2] It is not clear whether this force was ever fully enrolled; but in 1683 the standing garrison, which had been placed under the supreme command of Captain Keigwin two years before,[3] was increased to three English Companies, and was enlarged in 1684 by the enrolment of a Company of Rajputs, commanded by their own officers and armed with their own weapons.[4]

1683-1700. In December 1683 occurred Keigwin's revolt, when the whole garrison, numbering in all 505 men and consisting of 150 English, 200 Topasses and others, threw off its allegiance to the Company and contrived to hold the island against them in the King's name for nearly twelve months.[5] Soon after the Company had regained possession of the island, the two infantry companies were formed into three, a Company being despatched from Fort St. George, Madras,

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[1] Court of Directors to Surat Council, February 28th, 1678-79, and March 19th, 1679-80.

[2] Court of Directors to Surat Council, March 19th, 1679-80.

[3] Bombay Council to Court of Directors, March 15th, 1680-81.

[4] Bombay Town and Island Materials, Part III, 76.

[5] See History chapter above, pp. 76-79.

with this object ;[1] a company of Rajputs was added ;[2] and the Governor was granted a personal guard of 30 English grenadiers under a Brevet-Captain, who were increased to 50 in 1687.[3] Attempts were also made to purify the militia by distributing the posts equally among all castes and by counterbalancing the untrustworthy Topass element with "a good force of Canorins" (low-class Hindus).[4] In 1686 the garrison was further reinforced by a Company of soldiers and officers from the Marquis of Worcester's regiment in England.

Reinforcement and reorganization could not however compensate for the appalling losses which the garrison suffered at the close of the seventeenth century. Constant reference is made in the documents of the period to the great mortality among the soldiers, which was attributed by the Deputy Governor in 1685 chiefly to the unhealthiness of the climate, but also partly to the action of the Native Christians and Indo-Portuguese with whom the soldiers were quartered and who discovered in the *dhatura* and other poisons the surest medium for revenge for outrages upon their wives and families. Attempts were made to check the latter evil by building barracks and by encouraging soldiers to marry women of the country ;[5] but orders of this nature made little impression upon a class described by the Council at Surat as composed of "debauched broken tradesmen and renegade seamen"[6].

[1] Bombay Town and Island Materials, Part III, 76. Surat Council to Court of Directors, January 31st, 1685. One of the companies was commanded by Sir John Wyborne who was also Deputy Governor, second in Council and Lieutenant-Colonel of the Forces. His salary was £100 a year together with a Captain's pay of eight pence a day and £150 a year as diet-money. Court of Directors to Surat, May 6th, 1685.

[2] Bombay Town and Island Materials, Part III, 76, 77, 78.

[3] Court of Directors to Surat, May 6th, 1685 ; *Ibid* to Bombay, August 3rd, 1687.

[4] Court of Directors to Bombay, October 28th, 1685, and May 13th, 1687.

[5] The women of this class were compelled after marriage to continue wearing their native dress, except in cases where they paid a fine to the Company for the right to don European attire. Court of Directors to Bombay, July 14th, 1686.

[6] The Bombay Quarterly Review, Vol. I, pages 185-86, remarks as follows :—" As regards the military at this period, the Company had been taught by bitter experience to treat them with liberality, and consequently they found that they themselves were

Severe losses were also inflicted by the Sidi during his investment of Bombay (1689–90); for the weapons supplied to the garrison from home were thoroughly untrustworthy and usually burst after the third loading,[1] and the almost complete bankruptcy engendered by the siege prevented both the supply of new men and new weapons and the proper maintenance of the survivors. As a result the garrison in 1691 was composed of only 70 English soldiers and a few Topasses and Gentues (Hindus); while the new recruits from England were still, in the words of the Council at Bombay, "allowed to lie up and down in the woods where by their debaucheries they fall into distempers and die like rotten sheep." So matters continued until about 1715. Attempts were made to raise the strength of the garrison by the enlistment of Armenians from Ispahan and of Madagascar slaves, and by training a certain number of Arab lascars to arms;[2] but the English troops were so decimated by disease that there were not sufficient on the island to form a guard-of-honour for the Dutch Commissary when he paid a political visit in May, 1696.[3]

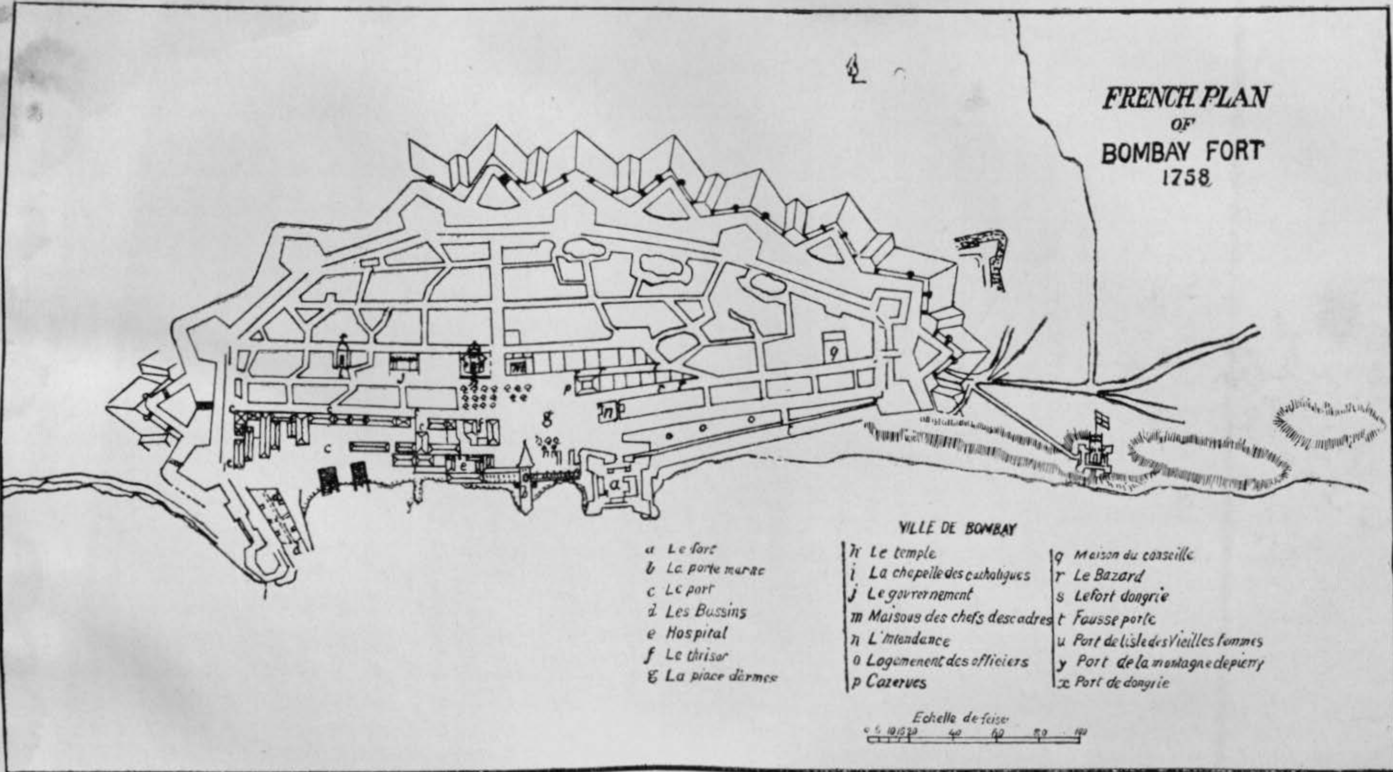
1700-1760. The condition of the Military was however merely a reflection of political and economical conditions, and at the close of the first quarter of the eighteenth century matters

treated with but little respect. Their vexatious regulations infused a spirit of insubordination into the minds of all the troops, from the highest officer to the private soldier. Captain Carr, indeed, did not hesitate to insult the Deputy Governor in his Council Chamber. Unsummoned he appeared before his Honor to demand an enquiry into his conduct. He was told that he had not been sent for; but, as he had come of his own accord, he would perhaps be so good as to explain why he had not appeared on parade for two mornings. 'I had business' was his laconic answer. The Deputy Governor mildly suggested that his business could not have been very urgent and that it really appeared as if the Captain was not anxious to perform his duty. Upon that Carr began to swear 'good mouth-filling oaths' at his Honour, and when threatened with punishment by him, shook his fist in the Deputy's face. The affair was terminated by the Captain being placed under arrest and confined to his own quarters. Such an example, thus set by an officer, was, as might be expected, imitated by private soldiers, and at last all fell into such a disorganized state that the Governor could not find a man whom he would venture to make a Sergeant or a Corporal."

[1] Bombay Council to Court of Directors, Feb. 9th 1690-91; June 5th 1695. At the latter date the garrison contained only 250 firearms fit for use.

[2] Court of Directors to Bombay Council, Feb. 29th, 1691-92.

[3] Bombay Council to Court of Directors, June 1st 1696.


FRENCH PLAN
OF
BOMBAY FORT
1758
VILLE DE BOMBAY
a Le fort
b La porte marine
c Le port
d Les Bussins
e Hospital
f Le thrisor
g La piace dármes
h Le temple
i La chapelle des catholiques
j Le govrernement
m Maisons des chefs descadres
n L'intendance
o Logemenent des officiers
p Cazerues
q Maison du conseille
r Le Bazard
s Lefort dongrie
t Fausse porte
u Port de lisle des Vieilles femmes
y Port de la montagne depierry
x Port de dongrie
Echelle de toise

had assumed a less depressing aspect. A hospital and barracks were built in the Fort about 1708, the latter being improved and enlarged in 1736, 1741 and again in 1755[1]; the pay of both officers and men was systematized and more regularly disbursed[2]; and a scale of pension was promulgated for the benefit of the Topasses and native militia. In addition to the barracks in the Fort, quarters were provided for the outposts at Sion, Sewri, Mahim and Varli; so that by 1742 the total force on the island consisted of 444 Europeans and 1004 Topasses under 26 officers. The garrison sepoys at this date numbered 829, divided into 13 companies each supplied with a *subedar*, a *jamadar*, 4 *havildars* and 4 *naiks*; but they were reduced in the following year to 6 companies numbering in all 702 men and costing monthly Rs. 3,132. The strength of the European and Topass Companies was also debated and fixed in 1743[3]; but was again reviewed in 1748 and fixed at 10 regular companies, each consisting of 85 officers and men, to which were added in the same year a regular company of Artillery, composed of 100 gunners, and in 1752 an entire company of Protestant Swiss, sent out by the Court of Directors. In 1750 an officer had been appointed to command the garrison on a salary of £ 250 a year with allowances, and was also appointed third member of the Council.

The history of reorganization was however still far from complete. The company found it very difficult to get good men for their army and Forrest describes the officers in 1752 as either illiterate adventurers or European butlers, who knew no drill, while the sepoys spent their time running with the palanquins and carriages of the senior merchants. The formation of the Bombay Army really dates from the reading of the mutiny Act

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1 Bombay Town and Island Materials, Part III, 93, 120, 123.

2 *Ibid*, p. 82. The monthly pay fixed in 1710 was as follows:— Lieutenant, £4; Ensign, £3; Sergeant, £1-10-0; Corporal, £1-4-0; Private Sentinel, £1-1-0. They were all allowed a bonus of one month's pay every year. Bombay Town and Island Materials, Part III, 82.

3 Bombay Town and Island Materials, Part III, 98. The table there inserted shows 7 ordinary companies, of which five belonged to Bombay proper, one to Mahim and one to Sion, and one Grenadier Company. The total strength was 1499.

in 1754. In 1755 fresh reductions of the Infantry were made in consequence of the Company's officers having, each for his own advantage, gradually increased the strength of the companies, while the Artillery was permanently enlarged to 3 companies, each composed as follows :—

One Captain on £200 a year.

One Captain-Lieutenant on £109-10-0 a year.

One first Lieutenant on £100 a year.

One Second Lieutenant on £90 a year.

Three Lieutenant-Fireworkers on 3 Shillings a day.

Three Sergeants on 2 shillings a day.

Three Corporals on $1\frac{2}{3}$ shillings a day.

Eight Bombardiers on $1\frac{1}{2}$ shillings a day.

Twenty Gunners on $1\frac{1}{3}$ shillings a day.

Sixty-four Matrosses on 1 shilling a day.

Two Drummers on 1 shilling a day.[1]

The reduction of the infantry led to serious complaints of unpreparedness from Major Sir James Foulis; and in 1759, at the instigation of Major Fraser, a separate body of 500 sepoys on increased pay and a new Grenadier Company were formed, new barracks being erected for their accommodation out of savings from the arrack or drink allowance of the troops.[2] In the following year, when the appointments of Fort and Town Major were created, the total garrison was composed of (*a*) 622 Infantry, of whom 225 were natives, (*b*) 227 Artillery, of whom 128 were natives, and (*c*) 1652 Sepoys, of whom 661 were classed as Sidis, 598 as Established, 257 as Arabs, and 136 as Old Surat.[3]

1760-1800. Meanwhile the Bombay Government, which had hitherto been content to repel possible attacks by European powers and to live on amicable terms with the native governments of the Presidency, commenced to

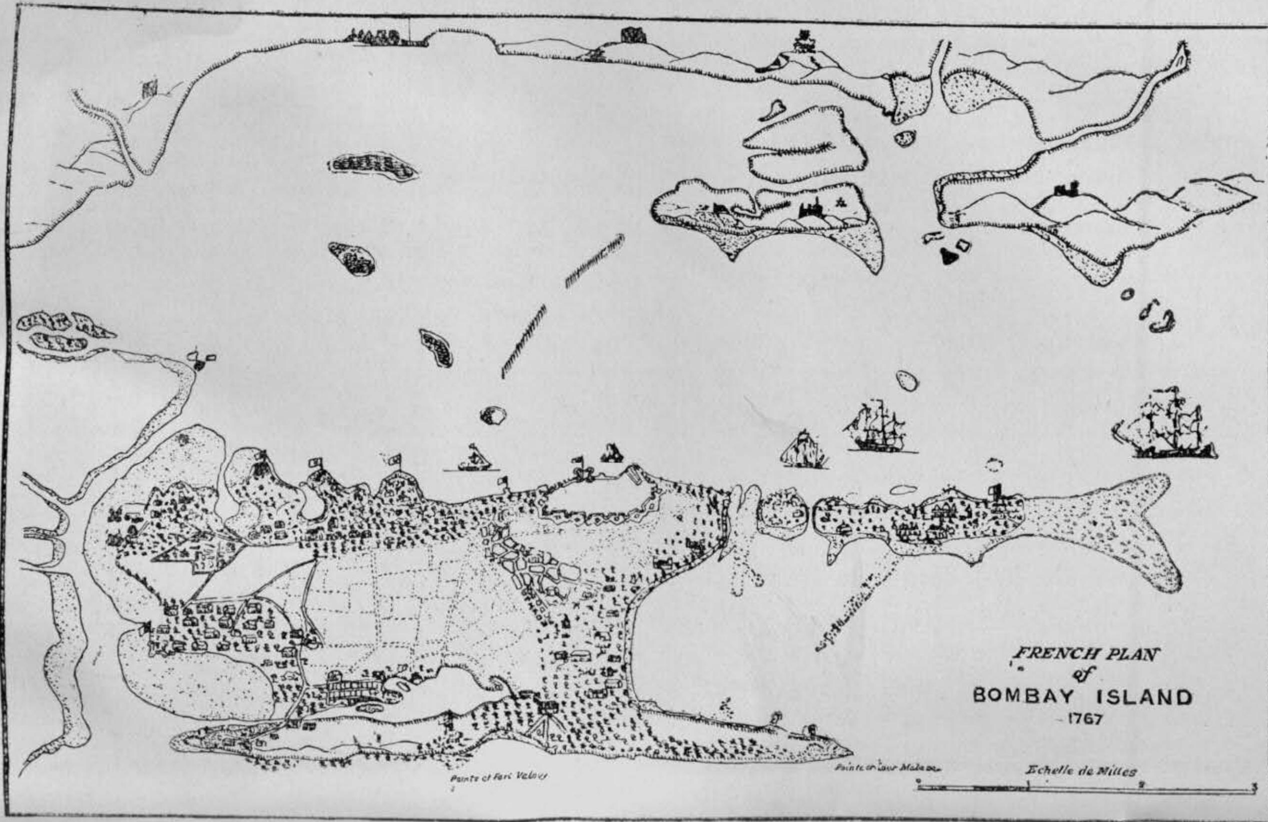
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[1] Bombay Town and Island Materials, Part III, 124.

[2] Bombay Town and Island Materials, Part III, 135.

[3] Bombay Town and Islpnd Materials, Part III, 137. The appointments of Fort and Town Major were created on March 11th 1760, the pay being Rs. 5 or 2 shillings a day.

The pay of all officers of Artillery and Infantry serving the King or Company in 1762 is given in full on pages 139, 140 of Bombay Town and Island Materiais, Part III.


FRENCH PLAN
of
BOMBAY ISLAND
1767
Echelle de Milles
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emerge as a political power and to pay greater attention to its military arm. The possibility of future conflict with the Marathas unquestionably underlay the three-years' enlistment of slaves for the outforts, which occurred in 1764,[1] and the general reorganization of 1765, whereby the Infantry were formed into 15 companies of 100 Europeans each and the Artillery into 3 companies of the same numerical strength, it being strictly laid down that Topasses were only to be enlisted in the infantry when the number of Europeans fell short. From this date onwards the garrison was gradually strengthened, and the time-honoured policy of retrenchment became discredited. The system of regiments and battalions was introduced in 1768, the Europeans being formed into one regiment of 1600 men, divided into 3 battalions of 7 companies, and the Native levies being formed into two battalions of 1,000 men apiece, each battalion comprising 10 companies. These two battalions are now familiar to Bombay as the 103rd Mahrattas and the 108th Infantry[2]; while in the following year (1769) a Marine Corps, composed of 300 Topasses, 700 sepoys and a handful of Europeans, was raised at Vengurla, which in January 1777 became the well-known Marine Battalion.[3] Constant enlistment of Topasses was carried on, the recruiting officer being paid Rs. 5 for every recruit entertained; the pay of all native soldiers was definitely fixed at Rs. 6 per month; pensions were granted to disabled Bhandaris, who were still employed as militia in 1776; and injury pensions were similarly instituted for European soldiers.[4] In 1770 the Sepoy Corps was raised to 4 battalions, and reached a seventh battalion in 1778[5]; and the acquisition of Salsette in 1775 led to the formation in 1777 of a corps of Engineers, consisting of a company of 100 lascars,[6] and in 1778 to the incorporation of the European infantry into one strong battalion, which subsequently became the

[1] Bombay Town and Island Materials, Part III, 142.

[2] *Ibid*. 145-148.

[3] *Ibid*, 151.

[4] The scale of pension for European Soldiers was as follows:— Sergeant Rs. 9 a month; Corporal, Bombardier and Gunner Rs. 7 a month, Private and Matross, Rs. 6 a month.

[5] The seventh battalion was disbanded seven years later.

[6] Bombay Town and Island Materials, III, 177.

Bombay Fusiliers and is known at the present time as the 103rd Royal Dublin Fusiliers. The Governor, Mr. William Hornby, was at this period (1774) appointed Commander-in-Chief of the forces, the Brigadier-General being styled Commander of the Forces.

In the following year, 1779, a battalion of Grenadiers was raised, which behaved with great bravery at the siege of Mangalore in 1782, but very nearly mutinied in the same year on account of their being styled the 8th Battalion Native Infantry. Thus in 1785 the Bombay forces were composed of six battalions, which were subsequently reformed about 1789 into eleven and again in 1803 into nineteen battalions, and of the Bombay Grenadiers, and the Marine Battalion, which in 1904 became the 121st Pioneers. A reduction of the garrison again occurred in 1795, when eight out of the eleven battalions were employed at Calicut, Tellicherry and other places on the Malabar Coast, but this reduction was to some extent counterbalanced by the enrolment in 1800 of a Corps of Fencibles, 1000 strong, to assist in the struggle against Tipu Sultan, fifty of whom were paid and equipped by Mr. Forbes.[1] Prior to the campaign of 1803 against the Maharaja Sindia and the Raja of Berar Mr. Jonathan Duncan, the Governor of Bombay, was authorised to place this corps on the fixed establishment under the title of the 9th Regiment of Native Infantry. It is now known as the 117th Mahrattas.

1800-1907. About the commencement of the ninteenth century the head-quarters of the Bombay Artillery were at Matunga; but according to contemporary accounts the barracks were so badly built and the climate proved so disastrous to the health of the men that the locality had to be abandoned.[2] Towards the middle of the century (1845)

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[1] Mr. Forbes was the author of Oriental Memoirs. Edwardes' Rise of Bombay, 219. Bombay Town and Island Materials, Part III.

[2] The author of *Life in Bombay* (1838) writes:—"Matunga, once a pretty artillery-station, lies deserted. Graceful boughs of shady trees droop upon the broken roofs of crumbling dwellings; gaudy blossoms, and the paler moonflower peep from amid the fallen stones; and gardens, once gay in bloom and fruitage bright, are tangled and overgrown with thorns. Matunga is now abandoned. The demon of disease claimed for his own, and under the insidious form of Dracunculus (guineaworm) worked havoc among the

the Bombay garrison numbered 3500 and was composed of the 2nd battalion Foot Artillery, a wing of His Majesty's 22nd Regiment, the 9th and 10th Regiments of Native Infantry and the Marine Battalion. At the date of the Mutiny (1857) the number of European troops was 400, and three regiments of Native Infantry were also stationed on the island, the whole garrison being commanded by Brigadier Shortt. The disaffection in the Bengal Native Army had communicated itself in some degree to the Bombay troops; and had it not been for the foresight and promptitude displayed by Mr. Forjett, then Commissioner of Police Bombay would probably have been face to face with a revolt of the native garrison. As matters turned out, Mr. Forjett was enabled by his extraordinary knowledge of the vernacular and a great

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troops. The prevalence of this disease caused either by the badness of the water, or some less suspected cause, formed abundant reason for the desertion of this lovely spot as a military station.' Captain J. H. Stocqueler, who arrived in Bombay with a detachment on the 29th May 1819, speaks of marching up to "Matoongah, a village in the vicinity of rice-fields, where cadjan barracks had been erected for the special *destruction* of the health of the men who had survived the horrors of the passage to India. The recruits were permitted to wander *ad libitum* through the lanes and bazaars of Bombay, before they were marched up to Matoongah. They must have seen a great deal of "life" and materially accelerated their progress to the grave in Dungri and the Bhendy Bazaar. On the third day the Serjeant collected all the stragglers and marched them up to their destination. Most of them went bare footed for choice; they were welcomed at Matoongah by the battalion quartered there with a supper of potatoes, dried bummelows (bambalos) and tea. What imp of darkness had suggested the selection of Matoongah as the head-quarters of a European battalion is perhaps on the records of the Bombay Government; but his name has not survived. A more dismal swamp could not have been found on the Island. The rains began to fall and as the cantonment was surrounded by rice-fields, the soldiers had the full benefit of the humidity of the surrounding waters. At the back of the barracks was a fruit bazaar where sodden mangoes, decayed pine-apples and attenuated plantains were retailed without mercy. The bread served out was of the coarsest flour, and free access was had to "ghee" and "maska" in using the bread. There was scarcely an entire company in the whole battalion fit for duty, but the hospital was well-tenanted. Newly-arrived assistant surgeons had a fine field for the study of the disorders peculiar to India in the persons of the wretched occupants of the planks and tressels which formed the bedsteads. There was an amateur theatre cleverly constructed (like the barracks) of bamboo, mud, cadjan and cocoa-nut tree leaves: but the performances were infrequent and only intended for the amusement of the friends of the officers. It was not a source of diversion to the troops at large."—*Times of India*, July 2nd, 1872.

detective faculty to discover and apprehend the ringleaders, two of whom were blown from guns and the other six were sentenced to transportation for life. Thus was the incipient mutiny quashed in Bombay.

At the present date (1909) the garrison consists of 3 companies of the Royal Garrison Artillery, one Company of the Submarine Mining Corps, one British regiment and two Native regiments, in addition to five corps of Volunteers[1].

Famous Incidents, 1756.

The earliest expedition in which the Bombay forces took part was that commanded by Admiral Watson and Colonel (afterwards Lord) Clive in 1756 against Angria the pirate. The Bombay Government placed 800 European soldiers and 1,000 Native Infantry at the disposal of Colonel Clive, who, forced by a decision of the Madras Government to abandon his plan of attacking the French and their allies in the Deccan, determined to employ his enforced leisure in capturing Angria's stronghold Gheria (Viziadrug). The expedition was undertaken in concert with the Marathas; but suspicions being entertained that the latter were in communication with Angria, operations were precipitated so as to preclude them from all share in the enterprise. The fort fell on February 13th, 1756, and the booty, about 10 lakhs, was divided by the British forces, without admitting their allies to any participation.[2] Thus was Bombay's most dangerous enemy reduced to harmlessness. Like the sister cities of Madras and Calcutta, Bombay can trace the origin of her political supremacy to the genius of Arcot's defender.

1778.

In 1778 a Bombay contingent numbering 3,900 men, of whom 591 were Europeans and 500 gun lascars, set forth under the command of Colonel Egerton, an officer "infirm in health and totally unacquainted with India", to place Raghunath Rao upon the Peshwa's throne at Poona. The force, crossing the harbour to Panvel and ascending the Bhor Ghat, reached Khandalla on the 23rd December, and was there formed into three divisions which "advanced

[1] For detailed account of the Army in India, See Imp. Gazetteer, Vol. IV, Chap. XI.

[2] Malcolm's Life of Clive.

alternately at the rate of about three-quarters of a mile daily", so that it spent eleven days in covering the eight miles between Khandalla and Karla. The Marathas, encouraged by this apparent timidity, drew near and harassed the advance; and Colonel Egerton, on reaching Talegaon, found that the enemy's cavalry had cut off communication with Bombay. The subsequent retreat of the Bombay forces, which ended in the disgraceful convention of Wadgaon is a matter of history, and has rightly been described as the greatest humuliation ever suffered by British arms in Western India. The one bright feature of the expedition was the conduct of Captain (afterwards Major-General) Hartley who commanded the Native Infantry reserves. Stimulated by his example, these troops resisted the attacks of the enemy so firmly that Madhavji Sindia compared the rear-guard to a red wall, "which was no sooner beaten down than it was instantly built up again."[1]

In October 1781 Lieutenant-Colonel Hartley with five battalions and a battering-train from Bombay, assisted General Goddard to overrun the Konkan and capture Bassein, which surrendered on the 11th December 1781 and in the same year, in connection with the general attack upon Hyder Ali, Colonel Humberstone was despatched with a Bombay contingent down the Malabar Coast, and captured Calicut and Ponany, which he successfully defended against a combined army of French and Mysore troops under Count de Lally and Tipu Sultan. It was at the capture of Ponany that the 8th Bombay battalion greatly distinguished itself.

In 1782 the Bombay troops under General Mathews captured Honore, Mangalore, Kurdapur, Karwar and other strong places on the coast of Kanara, but were besieged in the following year in Bednore, which capitulated after a fortnight's siege to the army of Tipu, numbering 15,000 men. The whole force was sent captive to Mysore, where General Mathews and twenty Bombay officers were put to death by poison. Tipu then proceeded to lay siege to Mangalore, which was gallantly defended

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1 J. M. Maclean's Guide to Bombay.

by Major Campbell and a force of Bombay sepoys, including the 8th Battalion, now the 101st Grenadiers, until peace was eventually made with Mysore at the end of 1783. It was to its heroism at this siege that the 8th Battalion owed the restoration of its old name of Grenadiers, that being the only reward which the famished and sickly men solicited on their return to Bombay. "They were long fortunate," writes Maclean, "in a succession of excellent commanding officers: and on every occasion of service the spirit of Stewart and of Hartley has lived in their ranks."

1790. During the second war with Tipu in 1790 the Bombay Government sent two battalions of infantry and six guns to co-operate with the Maratha army, which took Dharwar and advanced into Mysore.[1] At the same time a Bombay column under general Abercrombie cleared Malabar of Tipu's troops, and effected a junction with Lord Cornwallis before Seringapatam, where peace was concluded.

1799. In the campaign of 1799 a Bombay column under General Sir John Stuart marched from Cannanore up the Ghats to co-operate with the grand army under General Harris, which advanced from Madras. This column consisted of 1,617 Europeans and 6,420 sepoys the Company's Bombay Regiment of Europeans, 528 strong, forming with H. M.'s 75th and 77th Regiments the centre brigade. General Stuart fought a brilliant action with the flower of Tipu's army at Sedaser, and reached the camp before Seringapatam in time to play an important part in the siege-operations. The Governor-General expressed in the warmest terms to Mr. Jonathan Duncan, Governor of Bombay, his appreciation of the victory of Sedaser, declaring that "the merits of Generals Stuart and Hartley, as well as of Colonel Montresor and the other officers, have seldom been equalled and never surpassed in India." while, in reply to an address from the inhabitants of Bombay on the glorious termination of the war, Lord Wellesley wrote:—"The distinguished part which the settlement of Bombay has borne during the late crisis in the labours and honours of the

[1] General Orders, 11th April 1790.

common cause has repeatedly claimed my warm approbation, and will ever be remembered by me with gratitude and respect. In your liberal and voluntary contribution towards the exigencies of your native country and towards the defence of the Presidency under whose Government you reside, and in the alacrity with which you have given your personal services for the military protection of Bombay, I have contemplated with pleasure the same character of public spirit, resolution and activity, which has marked the splendid successes of the Army of Bombay from the commencement to the close of the late glorious campaign."[1] 182

During the campaign of Assaye in 1803, Bombay despatched a body of 7,000 men under Colonel Murray to Gujarat, which reduced the fort and territory of Broach, and captured all the country south of the Narbada; while Colonel Colman with another Bombay force of 2,000 men was stationed in the Deccan to guard the communications of Lord Wellesley's army. A detachment of the Bombay Artillery took part in the victory of Assaye.

The Company's Bombay Regiment of Europeans was 18
present at the battle of Kirkee on November 5th, 1817, having marched the whole distance from Panvel to Poona with only one halt, and during the subsequent operations a Bombay column of 1,200 men under Colonel Prother overran the South Konkan, taking Sivaji's famous fort Raigadh and other places. On the 1st January 1818, the heroic action of Koregaon was fought by the 2nd battalion of the 1st Native Infantry, 500 strong, with two six-pounders manned by 24 Europeans of the Madras Artillery under a Sergeant and Lieutenant and a detachment of irregular cavalry. For their conduct on this occasion the 2nd Battalion 1st N. I. were made Grenadiers, as their 1st battalion had been for the defence of Mangalore; and "*Mangalore and Korygaum* became the animating motto of the regiment." The 2nd battalion is now (1909) the 102nd King Edward's Own Grenadiers.

The Marine Battalion also saw much service during the 181
first half of the nineteenth century. Together with the

[1] Wellesley Despatches, Vol. I, 638.

3rd and 13th Regiments of Native Infantry and the flank companies of four other Bombay regiments, it was present at Beni-bu-Ali in 1821; it served in Burma in 1824, at Aden in 1839, and in the Punjab in 1849. In 1848 the Company's 1st Bombay Fusiliers (now the 103rd Royal Dublin Fusiliers) were present at the siege of Multan. In late years the more important services rendered by Bombay have been the equipment of the Abyssinian Expedition (six Bombay infantry regiments) in 1868, the despatch of 6,000 native troops to Malta in 1878, the management of the transport and supplies of General Stewart's column at Kandahar in 1878-79, the despatch of the Indian Expedition to Egypt in 1882, and of the Indian contingents to Suakin in 1885 and 1896.

The Volunteer Forces.

During the latter half of the seventeenth century the Court of Directors endeavoured to strengthen the garrison by ordering all their factors and writers "to be trained to the use of arms"—a principle which had been adopted with no little success by the Dutch in their factories and settlements.[1] It does not appear that the Civil Officers were ever formed into a regular corps, though, doubtless, they played their part in defending the Fort and Castle in such emergencies as the siege of Bombay by the Sidi. The same practice was adopted in 1739, when, in consequence of the fear inspired by the Marathas, the Company ordered their storekeeper "to provide every gentleman and English inhabitant with arms and accoutrements," and recommended the former to obtain instruction in the use and exercise of small arms.[2] But the first regular volunteer corps was not formed till February 1799 under the Governorship of Mr. Jonathan Duncan[3]. It was composed of civilians, lawyers, merchants and mariners, divided into two companies and officered by the following gentlemen :—Colonel The Honorable Jonathan Duncan; Lieutenant-Colonel James Rivett; Major Walter Page;

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[1] Court of Directors to Surat—March 8, 1675-76. Court of Directors to Bombay, August. 27, 1688. See Journal of Royal United Service Institution of October, 1891, for a short history of militia and volunteer forces.

[2] Bombay Town and Island Materials, Part III, 84, 85.

[3] G. O. 1st February 1799.

1st Company, Captain Robert Henshaw, Lieutenant Lewis Cockran and Ensign John Forbes; 2nd Company, Captain Robert Taylor, Lieutenant P. Maister and Ensign James Tate. Again, in 1860, a Volunteer Corps was formed under Colonel S. H. Robertson, C. B., to which Parsis were at first admitted; but owing to paucity of members, it was disbanded about 1864.

Of the five Volunteer Corps now (1909) in Bombay, the oldest is the 1st Battalion Great Indian Peninsula Railway Volunteer Rifles, which was formed on the 29th December 1875. On that date 875 men were enrolled and were formed into eleven companies, of which three were stationed in Bombay. The first officers of the corps were Colonel H. P. LeMesurier, Major G. H. Wright, Quarter-Master H. H. Swan, and Adjutant Captain H. T. Bulkley of the 2nd Bombay Grenadiers. The men were armed with Snider rifles, and wore an undress uniform of white drill, and one of blue serge for review order, which have now been respectively exchanged for khaki drill and blue cloth. At the present day (1909) the strength of the Corps is:—32 officers, 107 non-commissioned officers, 889 volunteers, and 15 reservists; and the detachments of the battalion in Bombay are located at Victoria Terminus, Wadi Bandar, Byculla and Parel. Twice has the Corps been called upon to assist the civil authorities, namely in April 1883, when fifty of them quelled a disturbance created at Bhusawal by 200 Baluchis, and again at the time of the Bombay riots of 1893, when 186 Volunteers were on duty at Victoria Terminus from the 11th to the 18th August. On both occasions their assistance was warmly acknowledged by the Governor of Bombay.

The Bombay Volunteer Rifles were raised on the 15th August 1877 and consisted at that date of 300 members, divided into 6 companies. In the following year an out-station detachment of two companies was formed at Poona, which eventually developed into the Poona Volunteer Rifles. Cadet companies from various schools were started in 1883; and on the 2nd April of that year Lieutenant-Colonel L. H. Bayley was appointed Commandant of the corps, which up to that date had been commanded by officers of the regular army. Membership of the corps is

confined to Europeans and Eurasians who are chiefly employes of the Government Telegraph and Customs Departments, of the Government and private dockyards, and merchants, medical students and engineers. The corps now consists of 5 adult and 5 cadet companies with a total strengh of 532.

The 1st Battalion of the Bombay, Baroda and Central India Railway Volunteers was enrolled in 1877, the number at the close of that year being 160 formed into two companies. Additional companies were formed in 1885, as also a cadet company composed of the boys of the Scottish Orphanage at Mahim. The headquarters of the corps are at Parel ; and the present strength of the corps is 536, distributed among five companies and a band.

The Bombay Light Horse, which sprang from the Bombay Volunteer Rifles, originated in the Russian scare of 1884-85. In May of the latter year a mounted troop was formed under the designation of A troop, Mounted Rifles, with a strength of 41, under the command of Captain Little and Lieutenant B. Nicholson, who both belonged to the Bombay Volunteer Rifles. In February 1887 the designation of the corps was altered to the Bombay Light Horse, and the corps was re-armed with cavalry Martini-Henry carbines and the regulation sword. In 1900 it became an independent unit, with a total strength of 54, divided into three troops ; and four years later (1904) a Pony Troop was added, which numbers 60 at the present date.

The Bombay Volunteer Artillery was raised in 1887 by Major G. W. Roughton, A.-D.-C., then a Captain in the Bombay Volunteer Rifles, and consisted of one company numbering about 70. The first Captain was Mr. A. K. Leslie, now Major and Honorary Lieutenant-Colonel of the corps. Three years later a second company was added, and in 1899 a third company was raised at Poona. A small Electrical Engineering company was subsequently formed in Bombay. The present strength of the corps is 11 officers and 246 men.

The Marine Forces.*

The marine forces of Bombay have been known by varying titles since their first enrolment. Thus from

*For further details of the period 1676—1788, see Bombay Town and Island Materials, III, pp. 203-256.

1612 to 1686 they were known as the Honorable East India Company's Marine, from 1686 to 1830 as the Bombay Marine, from 1830 to 1863 as the Indian Navy, and from 1863 to 1877 again as the Bombay Marine. In 1877 their title was altered to Her Majesty's Indian Marine and lasted until 1892, when their present designation of the Royal Indian Marine was finally adopted. The service is commanded by a Director, who is usually an officer of the Royal Navy, with his headquarters in Bombay, and a Deputy Director in Calcutta.

The opposition and annoyance caused to the East India Company by the Dutch, Portuguese, and the pirates of the western coast, were the primary cause of the establishment of the Bombay Marine Forces, of which the earliest representative may be said to have been Captain Thomas Best with his two ships, *Dragon* and *Hoseander* (or *Osiander*). These two vessels, accompanied by others which arrived subsequently, reached Surat in 1612 and were engaged for three years in almost continuous warfare, which culminated in the grant by the Emperor Jahangir to the East India Company of a *firman*, authorizing the English to trade within his dominions. The Marine Forces, which at this date (1615) consisted of ten armed grabs or gallivats,[1] formed the original nucleus of the Bombay Marine, and up to the year 1668 were engaged in a practically unintermittent and on the whole successful struggle with the Company's foes both along the Indian coast and in the Persian Gulf. In 1659 the year following the cession of Bombay by the Crown to the Company and the appointment to the Deputy-Governorship of Captain Young of the Marine, a further development took place in the construction at Bombay of small armed craft for the defence of merchant-vessels trading with the ports of the Persian Gulf and the Arabian Sea. Among other vessels, two small brigantines are recorded as having been built by Mr. Warwick Pett, who was a descendant of Sir Phineas

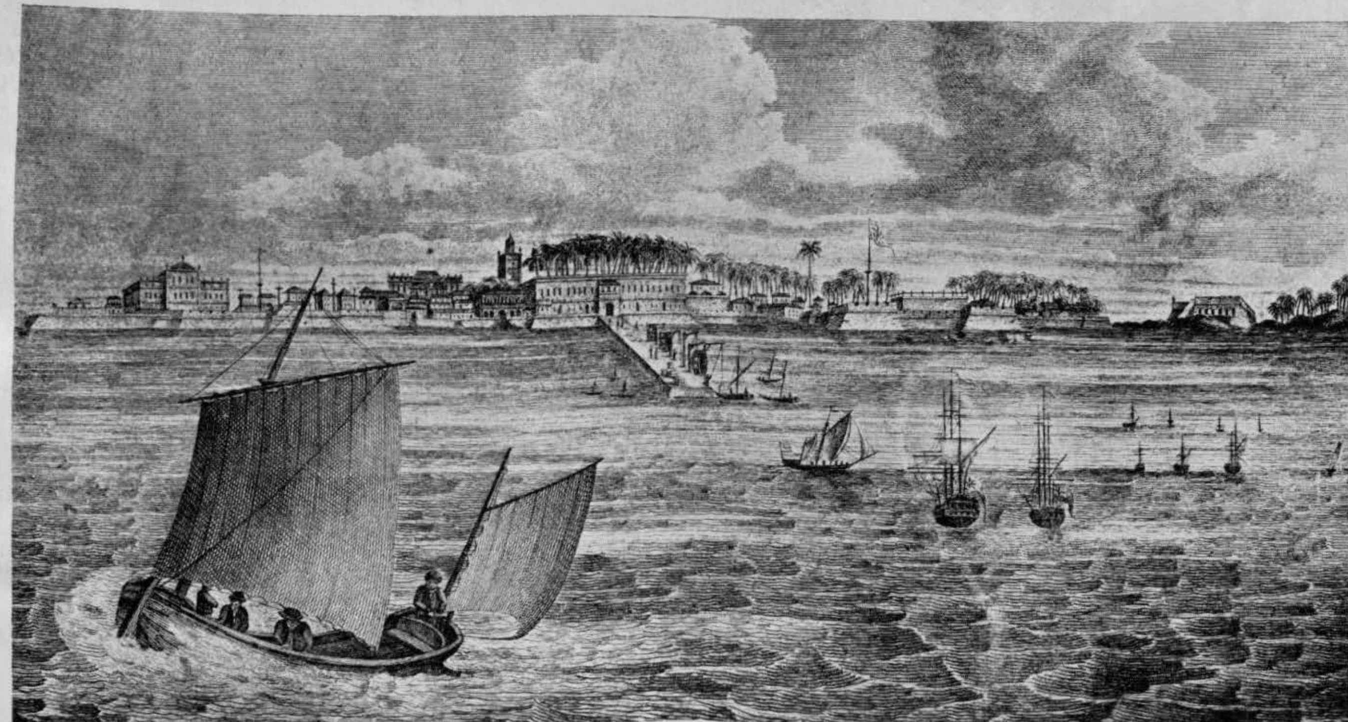
His
1612-

[1] Clement Downing in his Compendious History of the Indian Wars (1737) writes:—"The galleywats sail with a peak sail like the mizen of any of our ships of war and row with 30 or 40 oars; very few with less than 20 oars. Their complement is generally 20 fighting-men, besides the rowers; but they are fit for no other service."

Pett, the famous shipwright of Elizabeth's reign, and who had been despatched to Bombay for this purpose with a full supply of marine stores and equipment for ship-building. The construction of these ships at Bombay about 1670 may be regarded as the earliest step towards the withdrawal to the Marine from Surat to the island, which lent the name by which it was distinguished up to 1829 and which to the present day serves as its headquarters. The Marine played no inconspicuous part in Captain Richard Keigwin's famous mutiny of 1683; for the officers and crews of the *Revenge* and the *Hunter*, both being vessels of the Bombay Marine, threw in their lot with the rebels, Captain Alderton of the *Hunter* being one of the four ring-leaders to whom a pardon was not granted under the Royal Commission of August 24, 1684; while the final surrender of the island was obtained by Sir Thomas Grantham, himself an officer of the Company's Marine forces.[1] Under the Commission above-mentioned, Sir John Child, the President of Surat, was appointed Captain-General and Admiral of the Company's land and sea forces, with Sir Thomas Grantham as Vice-Admiral, and the senior Captain of the Company's ships as Rear-Admiral, the three thus becoming the earliest official heads of the Indian Marine service. In the following year (1684) Sir John Wyborne was appointed Vice-Admiral and Deputy-Governor of Bombay; and in 1686 the seat of the Company's Government was transferred from Surat to Bombay, the marine stores being located in the Castle, and the Company's ships being anchored in Bombay harbour.

1686—1750 The Bombay Marine suffered to some extent from the spirit of insubordination and dissatisfaction, which characterized the closing years of the seventeenth century. In addition to the notorious wave of sickness which afflicted all classes at this period, considerable reductions were made in the strength of the marine establishment, particularly during the administration of Sir John Child; and these two circumstances, in combination with other minor causes of dissatisfaction, gave rise

[1] Bruce's Annals, I., 541. See also History Chapter vi.



BOMBAY FORT FROM THE HARBOUR. 1665-1700.

to frequent desertion. Thus on the 14th August, 1694, we find the following orders issued by the Bombay Council to Lieutenant James Hanmer[1]:—"There be run away from this island in the *Ruby* frigateboat sundry persons belonging to the shipping in the road. These are to enorder you to make strict enquiry after them, and if on this island surprise them. Send to the Subehdar of Varli to know if the boat has been seen off that place. They are all armed so that you must be cautious." Matters however improved after the transfer of the seat of Government to Bombay; the marine forces became officially known as the Bombay Marine; an officer was regularly appointed Admiral every year; and the supply of men to both the higher and lower ranks was maintained by drafts from Europe.[2] These arrangements were indeed rendered absolutely essential by the need for protecting the island against the attacks of pirates and by the fact that the Company had still to make head against the superior maritime forces of the French, Dutch and Portuguese. Desertion too was an evil to be reckoned with for several years to come, and culminated in 1724 in an order to hold the pay of all seamen two months in arrears, in the hope that this would act as a deterrent.

The first notable action fought by the Marine after its re-constitution was the siege of Gheria, the stronghold of Angria, in 1717. In the previous year the total strength of the sea-forces consisted of one ship of 32 guns, four grabs mounting from 20 to 28 guns, and 20 grabs and gallivats carrying from 5 to 12 guns apiece, the total cost being £51,700: but in spite of this by no means inconsiderable armament, Angria's stronghold proved impregnable and Commodore Berlew had perforce to raise the siege. On the 5th November 1718 the Marine laid siege to Kenery under the command of Manuel de Castro, whom the President, much to the annoyance of the English captains of the gallivats, had appointed Admiral of the Fleet. It was no doubt partly on this account that the President had to engage volunteers for the attack, promising that the widows and children of any who lost their

[1] Sec. Out. L. B. 5 of 1694-96, 7-8.

[2] Low's History of the Indian Navy, I., 90.

lives should receive, respectively, £30 and £10 apiece. The attack failed in spite of the bravery of Major Stanton and others, and it was in consequence of this ill-success that the President decided to add to the fleet "a floating-castle or a machine that should be almost cannon-proof." "This vessel," writes Downing, "was pretty flat, flowed with little or no bulge and but six-foot hold. The thickness of her sides was made by the nicest composition cannon-proof. She was to go with one mast and a top-sail which was rigged in a very commodious manner, and mounted 12 guns carrying 48 pounders." This machine proved of very little service and was shortly afterwards destroyed as worthless. Four years later (1722) the Bombay Marine made a joint expedition with the Portuguese against Alibag, the latter providing the land-force, and the naval force consisting of three ships under Commodore Matthews. A contemporary writer,[1] alluding to the ill-success of the expedition, remarks that "the Viceroy of Goa with much pretended zeal came in person, designing to head such forces as he had raised, and the General of the North also came down to Bombay, and was most magnificently entertained by the President." But on the day of the attack, "the Viceroy of Goa went on board his ship, pretending that he was very ill. The Commodore sent his own doctor to offer his services and supply him with such medicines as should be convenient for him, if he was really ill. But the doctor returned and reported to the Commodore that he did not perceive anything to be the matter with him." The timidity, if not treachery, of the Portuguese Viceroy communicated itself to his troops and turned a well-timed attack into complete defeat, and the only satisfactory feature of the engagement

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[1] Clement Downing—History of the Indian Wars, 1737. Downing came to Bombay as a midshipman and was promoted to the post of Lieutenant by Commodore Matthews. After the failure of the attack on Alibag he records that "the Commodore came on shore in a violent rage, flew at the General of the North and thrust his cane in his mouth, and treated the Viceroy not much better." He also states that the fleet consisted, in 1717, of 21 ships. "Everyone of these had two other sail of gallivats under their command and ten white men on board their own gallivats. In grabs and frigates of large rates they have besides their own complement a company of Marine with a commission officer, a sergeant and two corporals."

was the behaviour of the English naval force, which lost many officers and men.

During the early portion of the eighteenth century the position of Bombay, menaced as she was by the Portuguese, Sidis and Marathas, was so insecure that the Bombay Council spared no pains to enhance the value of the Marine both by improving the *morale* and numerical strength of the men and by increasing the fleet. Thus in 1731 the Court of Directors approved of a scheme of pensions for the widows of officers and seamen who had performed distinguished service ; they indented largely upon their trading vessels for the manning of the warships ; they purchased new vessels, notably the *Rose* galley in 1733 for Rs. 14,000 ; and in 1735 they brought down from Surat Lavji Nasarwanji Wadia, the Parsi ship-builder, who selected the present site for the Government Dockyard. The Marine charges at that date amounted to Rs. 1,81,000 a year, and the fleet comprised, in addition to several gallivats and boats, seven large warships, namely the *Victoria* (frigate), the *Neptune* (grab), the *Prince of Wales*, the *King George*, the *Princess Caroline* and the *Rose* (all galleys) and the *Salamander* (bomb ketch). Between 1739 and 1741 continual additions were made to the fleet under the auspices of Lavji Nasarwanji, as for example two 90-foot grabs, carrying twenty guns, and a 90-foot "sea-going ship," carrying eleven guns in a line ; so that by the end of 1741 the Commodore was able, after inspection of the fleet, to report that the vessels were "entirely clear and in a proper posture for defence," and that the total strength of the fleet was :—One ship of 44 guns, four ships of 28 guns, four ships of 18 guns, 6 bomb ketches, and twenty large gallivats, manned altogether by 100 officers and from 1,700 to 2,000 seamen.[1] Among the salient events of this period, with which the Marine was directly connected, may be mentioned the defeat of Sambhaji's fleet at the mouth of the Rajapur river by Commodore Bagwell[2]

[1] Bom. Gov. Diary, 8th October 1741. Pub. Diary 14 of 1740-41, 401. Grose (Voyage to the East Indies, 1750) states that the ships at this date were manned by English or by deserters from other European nations. The marine charges were defrayed by a system of passes for all vessels of all countries.

[2] For further details see Forests's Selections (Home Series) vol. I. (1887) pp. 41, 42.

and four cruisers on the 22nd December 1738; the conclusion by Captain Inchbird of the Marine of a treaty with the Maratha General Chimnaji Appa on the 12th July 1739; and the complete loss with all hands of three fine grabs, commanded by Captains Rigby, Sandiland and Nunn in the terrible storm of the 9th November 1739.

The year 1742 being void of "alarums and excursions" the Bombay Council decided somewhat prematurely to reduce their marine establishment. They abolished the post of Admiral and contented themselves with a Superintendent, eight Commanders, one of whom was styled Commodore, three first and four second Lieutenants, four third officers and six masters of gallivats, together with a certain number of midshipmen.[1] The immediate outcome of their action was that the mercantile fleet, now larger than ever, suffered serious losses at the hands of the pirates; while in 1744, after the declaration of war between England and France, when two French privateers were hovering off Bombay to intercept the East Indiamen, the only protective measures they could adopt were the equipment of three ships of inferior strength and the despatch of six fishing-boats to give the alarm to any English vessel approaching Indian shores.[2] Two notable events mark the close of the first half of the eighteenth century, namely, the mutiny on board the *Bombay* in 1748 and the completion of the first dry dock (now the upper Old Bombay Dock) in 1750. The former event occurred while the *Bombay*, commanded by Captain Hough, lay at anchor off Rajapur. The mutineers attacked their officers while at supper, overcame them and placed them under an armed guard; but being wholly ignorant of navigation and having nearly wrecked the vessel on a lea-shore, they were persuaded to return to duty on condition of receiving a free pardon, Rs. 2,000 in cash, and a free passage to England. These terms were carried out in all cases except those of Surgeon William Wills and four seamen. The former, convicted by a court-martial of exciting disaffection, was

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[1] Bagwell was appointed Commodore of all the Marine Forces on the 6th July, 1737. Pub. Diary 11 of 1737, 221-222.

[2] Low's History of the Indian Navy, I, 117, 120. For further details see Bom. Quarterly Review, April, 1857, pp. 267, 268.

paraded through the fleet with a halter round his neck and hanged ; and the latter had to submit to a severe public flogging.[1]

At the commencement of 1756 a royal squadron, under 175
Vice-Admiral Watson, visited Bombay for the first time since the island had become the property of the Company. Taking advantage of this circumstance, a combined military and naval expedition was despatched from Bombay against Vijayadurg, the stronghold of the pirate Tulaji Angria. The military forces consisted of 800 European soldiers, 300 Topasses, and 300 sepoys under Colonel (afterwards Lord) Clive ; while the naval force comprised H.M.S. *Kent* (the flagship, 75 guns), H.M.S. *Cumberland* (flagship of Rear-Admiral Pocock, 66 guns), H.M.S. *Tiger* (60 guns), H.M.S. *Salisbury* (50 guns), H.M.S. *Bridgewater* (20 guns), and H.M.S. *Kingfisher* (16 guns), and the Bombay Marine ships *Protector* (Commodore James, 44 guns), *Revenge* (28 guns), *Bombay* (28 guns), *Guardian* (28 guns), *Swallow* (16 guns), together with the bomb vessels *Drake, Viper, Triumph, Warora* and *Despatch*. On the latter were embarked a company of artillery under Captain Torey ; and the fleet was further augmented by 4 grabs and 40 gallivats belonging to the Marathas. Suspicions, however, being entertained that the Marathas were acting in concert with Angria, operations were precipitated so as to exclude them from all share in the enterprise. The Admiral having attacked and burned the pirate's fleet, Clive interposed his forces on the land-side between the fort and the Maratha general who had hastened to co-operate. On February the 13th, 1756, the fort fell, and a large quantity of cannon, ammunition and specie fell into the hands of the victors. The total disappearance of Angria from the arena of external politics led to a proposal to again reduce the Marine, but this the Bombay Council declined to do, owing to the fact that war had broken out between France and England.[2] Hence it came about that Com-

[1] The Mutiny Act was made applicable by Royal Warrant to the Company's military and naval forces in India on the 25th March, 1754.

[2] Pub. Dep. Courts Letters 5 of 1757-1761, 18.

modore James was enabled firstly to seize the French ship *Indienne* and carry her as a prize into Bombay, and secondly to start on a voyage round the coast of India in the middle of the south-west monsoon, with the object of proving that communication between the eastern and western coasts of India was possible at all seasons of the year. This feat of navigation, which largely revolutionised the existing ideas of the value of the Marine, was of double service to the English; for Commodore James[1] not only brought to Bengal the first tidings of the outbreak of hostilities with the French, but also lent 500 men from his ships to Fort William, by which timely accession to their strength Admiral Watson and Colonel Clive were enabled in March, 1757, to capture Chandernagore and thus deal a severe blow to French power and commerce in the East.[2]

Indeed during the critical years of warfare between France and England the ships of the Bombay Marine were constantly engaged in co-operating with the Royal Navy, fighting actions off the Indian coasts, and in successfully acting as "the Police of the Indian seas" against the many bands of pirates which still infested the Persian Gulf and western coast.[3] Their excellent services had the effect of directing the Company's attention more closely to their circumstances and welfare; and stringent orders from the Court of Directors anent the religious and moral character of both officers and men, and the prohibition in 1751 of gambling and swearing,[4] were followed in 1760 by permission to wear a regular uniform,[5] and in 1766

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[1] For further details of Commodore James, see Douglas Bombay and Western India. II. 261.

[2] Low's History of the Indian Navy, I, 138. Shortly after this Commodore James retired and was presented by the Court of Directors with a sword in recognition of his distinguished services. Appointed later to a seat on the Board of Directors, he held the posts of Deputy Chairman and Chairman in succession, and also entered Parliament. In 1778 H. M. the King created him a Baronet; and he subsequently became Governor of Greenwich Hospital, and elder brother and Deputy-Master of Trinity House.

[3] Low's History of the Indian Navy, I, 144.

[4] Government Order Book. 1751.

[5] Bom. Gov. Con. 24th June 1760. Pub. Diary 34 of 1760. The uniform was a blue frock coat turned up with yellow, with dress coats and waistcoats of the same colour. The higher

by the issue of a complete set of orders regarding discipline for the use of the Commanders, which constituted the first body of official regulations ever published for the Marine service.[1] Later, in 1771, the pay of seamen, who had been in the habit of demanding exorbitant wages, was formally regulated, and the total force, which had somewhat outgrown the needs of the period, was reduced and re-organized. The year 1772 witnessed the first surveying expedition undertaken by the Bombay Marine. It consisted of the schooner *Fox* (6 guns), the *Dolphin* ketch, and one *patamar* under the command of Lieutenant Robinson, aided by Lieutenant Porter and Midshipmen Blair and Miscall, who managed to explore the coasts of Mekran, Sind, and Kathiawar, and a portion of Arabia and Persia. They may be said to have laid the foundations of the present Marine Survey of India, which throughout the various vicissitudes of the Indian naval service has ever continued unchecked the arduous task of scientifically delineating the coasts of India, Burma and the Persian Gulf. Two years later (1774) a squadron of the Bombay Marine under Commodore Watson co-operated with Brigadier-General Robert Gordon in the attack and capture of Thana from the Marathas[2]; and in 1775 occurred the heroic struggle between the *Ranger*, commanded by Lieutenant Pruen, and an overwhelning Maratha fleet under the command of the Peshwa's Admiral Anandrao Dhulap; in which nearly every officer and seaman on board the *Ranger* was either dangerously wounded or killed.[3] In 1780 the ships of the

grades wore facings of gold lace. Midshipmen and masters of gallivats wore small round cuffs, but no facings.

[1] Bom. Gov. Con. 10th March 1776. Pub. Diary 46 of 1766, 159.

[2] The situation of Thana precluded the employment of the largest vessel of the Marine: but according to Grant Duff, "The Governor expressed a wish that Commodore Watson should superintend the naval part of the enterprise, and have joint authority with General Gordon; and the Commodore, on the General's acquiescence in the arrangement, cheerfully complied." Commodore Watson was mortally wounded on the third day of the siege. A monument to his memory was erected in St. Thomas Cathedral.

[3] Among those who died of their wounds were Lieutenant Pruen, Colonel Humberstone, Major Shaw, and Lieutenants Stuart and Taylor. General McLeod and Lieutenant Seton were dangerously wounded.

Bombay Marine formed part of the squadron under Sir Edward Hughes which co-operated in the suppression of Hyder Ali; and in December two years later (1782) a squadron under Commodore Armytage, who flew the broad pennant on the *Bombay*, acted in concert with General Matthews on the Malabar Coast and helped to capture Rajamandrug, Merju, Kundapur, Annanpur and Mangalore. In brief, there was hardly a naval engagement during the latter half of the eighteenth century in which the Bombay Marine did not play a part; and it rendered excellent service at the capture of Pondicherry, Trincomalee, Jafnapatam and Colombo[1]. Among minor engagements may be mentioned that between the *Vigilant* (6 guns) commanded by Lieutenant Hayes and four vessels belonging to the Sanganin pirates in 1797. The *Vigilant* had been despatched on a political mission to the Hakim of Soumiani, and while crossing the Gulf of Cutch was attacked by the four pirate-ships, each of whom was more than double her size. After three hours' desperate fighting, during which she had two of the enemies' vessels lashed on each side, the *Vigilant* managed to dirive them off with complete loss. Durng this period of almost continuous warfare, the casualties, such as that of the

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[1] The following ill-natured verdict of Dr. Hovè', the Polish Savant, in 1788, must be held to be the outcome of ignorance of the achievements of the Bombay Marine :—

" The Government of Bombay have a marine of several vessels, mounting a few guns, which are to my idea quite useless in time of war, for the Marathas have twice that strength, and usually give defiance to the English marine. As the Bombay vessels are solely caculated to protect the trade,it might be easily so contrived, that the trade would protect itself, by destroying the pirates which have straggled from the opposite continent, and for the immense expense these protectors are maintained with, to construct a couple of ships of war, which would oppose those that are now building at Tipu's expense in time of emergency. The convoys consisting often of two hundred *batelas*, generally set out from Surat at the lift of high springs. According to its size each boat in the convoy pays the Commodore Rs. 12 to Rs. 28. This is the sole emolument belonging to the Commodore, as they call him, who has this station for one year, and generally makes an immense fortune during that period. Though the honest merchants pay him this exorbitant demand, of which the Company have not a single farthing, they very often lose their merchandize under this protection. In 1788 I saw two *batelas* carried off by the Koolys without further hindrance than a short chase by the Commodore. Bom. Gov. Rec. Sec. XVI. New Series, 177-178.

Revenge which foundered with all hands in 1782, were largely counterbalanced by the zeal in ship-building of Maneckji Lavji, one of the famous family which for more than a century held the post of master ship-builders to the Marine.[1] The year 1818, and those immediately following it, were particularly notable for activity in ship-building, among the finest vessels launched from the Government Dockyard being the *Malabar* (74 guns), and the *Ganges* (92 guns) which afterwards served as the flagship of Sir Edward Codrington at the battle of Navarino.

In August 1798 the Court of Directors revised the Marine regulations, conferred relative rank as well as a retiring pension upon the officers, and formally prohibited the privilege of private trading which had up to that date been permitted to all members of the Marine service. Further the duties of the service were distinctly defined to be :—(*a*) The protection of trade, (*b*) the suppression of piracy and the performance of the general duties of war-vessels, (*c*) the convoy of transports, and, if necessary, the conveyance of troops, (*d*) the prosecution of Marine surveys in the East. A civilian Superintendent, Mr. Philip Dundas, was appointed head of the Marine Board, and the two senior officers in the service were respectively appointed Master-Attendant and Commodore at Bombay. The remainder of the *personnel* comprised thirteen captains, 33 first lieutenants, 21 second lieutenants, and 37 volunteers. Later, on the 31st May 1814, a table of prece-

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1 The first ship built by the Wadias was launched in 1735. The last was the *Investigator*, launched in 1881, which is still in commission after 25 years' work as the head vessel of the Marine Survey. Besides the ships built for the Indian Government, the Wadias built several Battle-ships and Frigates for the British Navy, which were all famous for their great durability. As an example, may be mentioned the *Swallow*, launched in 1777. She was first used as a Company's packet-boat, making several trips to England; she then joined the Bombay Marine, but shortly after returned to the packet-service. In 1800 she was sold to the Danes and proceeded to the West Indies where she was seized by a British Man-o-war for breach of treaty and condemned as a prize. Next she was purchased by the Admiralty and acted for several years as a war-sloop, the *Silly*. Later she became a merchant vessel, and running out to India was finally lost on the James and Mary shoal in the Hugli in 1823.

dence in India was fixed by the warrant of the Prince Regent, whereby the Superintendent of Marine took rank after Generals and Flag-Officers, Commodores after Post-Captains of the Royal Navy, and Senior Captains after Captains of the Royal Navy of more than three years' service. Fresh regulations as to uniform were published in 1820; and in 1824 the rank of Commander was temporarily abolished, and an increased number of Captains' appointments were created. Finally on the 30th June 1827 a Royal Warrant conferred upon the officers of the Indian Marine equal rank, according to their degree, with officers of the Royal Navy within the limits of the East India Company's Charter; a warrant from the Admiralty permitted the vessels of the Bombay Marine to fly the Union Jack and Pennant [1]; and it was decided that an officer of the Royal Navy should henceforth be Superintendent or head of the Marine Service.[2] The year 1830, the last of the period under discussion, witnessed the inauguration of a family pension fund under the auspices of the Bombay Government, and the alteration of the title of the service to that of Indian Navy, which consisted at this date of 12 Captains, 9 Commanders, 51 Lieutenants and 69 Midshipmen.

Meanwhile the service had successfully maintained its reputation for efficiency and courage. Several vessels of the Bombay Marine participated in the Egyptian Campaign of 1801 under Sir Ralph Abercrombie; and in 1803 a squadron under Commodore John Hayes [3] was despatched to protect the trade of the Bay of Bengal from French aggression. It was during this year that the Company's fourteen-gun brig *Fly*, carrying despatches, was captured in the Persian Gulf by the French vessel *La Fortune*, commanded by the famous Captain Surcouff. The commander of the *Fly* with great gallantry succeeded in run-

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[1] Warrant of the Duke of Clarence, 12th June 1827.

[2] Captain Sir Charles Malcolm, C.B., R.N., was the first officer of the Royal Navy appointed head of the Marine. He was the founder of the Bombay Geographical Society, now extinct, and the first important act of his administration was the formation of the Red Sea Survey.

[3] Commodore John Hayes was afterwards knighted, and died as senior officer of the Indian Navy on the 3rd July 1831.

ning his ship into shoal-water and there sinking all his treasure and despatches, in order to prevent their being seized by the enemy. In 1810 a squadron of five Bombay ships under Captain Deane helped the naval force under Admiral Bertie to take Mauritius and capture the French ships in Port Louis; and in 1811 another squadron under Commodore Hayes participated in the conquest of Java. For their services on this occasion the officers and men received the medal granted for the expedition and were warmly thanked by the Governor-General, Lord Minto. Again in 1813 the Bombay Marine was employed in the action against the Sultan of Sambar, losing many men from sickness; and in 1815 a small squadron under Captain Blast was despatched to blockade the coast of Cutch and the strongholds of the piratical tribes of Kathiawar. During the Maratha war the attack on the fort of Suvarnadurg in December 1817, and the reduction of the fort of Madangad gave further opportunities to the Bombay Marine to display its fighting capabilities, which were warmly acknowledged by the Governor-General-in-Council and by Colonel Kennedy, who commanded the attack on the latter stronghold[1]; while in 1819 a squadron under Captain Hall performed yeoman-service in the extermination of piracy in the Persian Gulf. The year 1820 was memorable in marine annals for the siege of Mocha, which fell after a spirited defence on the 27th December, chiefly owing to the gallant conduct of the Bombay Marine forces under Lieutenants Faithful, Robinson, Jones, Elwin, and Tanner[2]; and in the following year Captain Hardy (*Teignmouth*), Commander Stout (*Prince of Wales*), Lieutenant Dominicetti (*Psyche*) and Lieutenant Robinson (*Vestal*) fought the famous action which reduced the Ben-ibn-Ali Arabs to submission. On

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1 The attack on Suvarnadurg was partly led by Lieutenant Dominicetti and thirty seamen, and the same officer, together with Captain Farquharson and Lieutenant Cogan, was present at the escalade of Madangad. The vessels employed in the attack on Suvarnadurg were the *Prince of Wales* and *Thetis*, with smaller craft.

2 Letter from Captain Lumby, Senior Naval Officer, H. M. S. *Topaz*, off Mocha, Dec. 21, 1820, to the Commanders of the Company's cruisers *Benares*, *Antelope*, *Evadne* and *Thames*.

the close of the first Burmese war in 1826 the Bombay Marine shared with the Royal Navy the thanks of both Houses of Parliament for their "skilful, gallant, and meritorious exertions" in the operations against Ava[1]; while in 1827 the *Amherst* was employed under Sir Gordon Bremer in blockading Berbera and the adjacent Somali coast in revenge for the plunder of an English brig by Somalis in 1825.

Nor was the important work of Marine surveying neglected during these early years of the nineteeth century. A Marine Survey Department was established in Bengal in 1809, Captain Wales of the Bombay Marine being appointed the first Surveyor-General, and much important work was carried out in the Bay of Bengal by the *Assaye*, the *Panther*, and the *Antelope*. In the year previous Captain Horsburgh, Hydrographer to the Company, published the first edition of his East India Directory, which was largely based upon the surveys carried out by officers of the Bombay Marine[2]; in 1811 the *Ternate* and the *Sylph* under Captain Suree surveyed the East Coast of Africa as far south as Zanzibar; and from 1821 onwards, under the auspices of Captain Daniel Ross, a thorough survey of the Persian Gulf and other seas was performed by Lieutenants Wellstead, McCluer and Haines. In the schemes for retrenchment which Lord William Bentinck formulated in 1828, the Marine Survey Department was practically abolished: but so important was its work acknowledged to be that in 1830 two brigs were again commissioned for survey duties. In the same year Commander John Nilson undertook an experimental voyage in the *Hugh Lindsay*, a steamer built in Bombay,

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[1] Proceedings of House of Commons, 8th May 1827: House of Lords, 14th May 1827. The Bombay Marine ships engaged in the first Burmese war were the *Hastings* (Captain Barnes), the *Teignmouth* (Captain Hardy), the *Mercury* (Captain Goodridge), the *Thetis* (Commander Middleton), the *Prince of Wales* (Lieutenant Collinson), the *Jessie* (Captain Poyaton), the *Ternate* (Lieutenant Macdonald), the *Vestal* (Lieutenant Gay) and the *Research* (Captain Crawford). Several small brigs, schooners, and packets, armed with 12-pounders and swivel-guns were also employed. Commodore Hayes, the Senior Officer of Marine, so distinguished himself that he received a knighthood.

[2] Low's History of the Indian Navy. I, 399.

with the object of proving that the Red Sea route must, with the advent of steam, become the high-road between Europe and India. The voyage to Suez took 29 days, and in spite of the difficulty of carrying sufficient coal in so small a vessel (411 tons), it was entirely successful.[1]

The Bombay Marine saw a considerable amount of ser- 183
vice between the first and third quarters of the nineteenth century. On the 16th April, 1835, Captain Sawyer of the *Elphinstone* shattered the power of the Beni-yas Arabs of the Persian Gulf, who had fitted out a powerful fleet of three hundred *bagalas* with the avowed intention of attacking and overpowering the Company's cruisers[2]; and in the same year several officers of the Indian Navy took part in the successful expedition which explored the Shat-el-Arab and Euphrates, and paved the way for trade by peaceful negotiations with the Arabs. Three years later (1838), when it was decided to occupy Afghanistan, the vessels of the Indian Navy were employed to convey troops to the mouth of the Indus and to act as a blockading-squadron at that point; while in 1839 a squadron was despatched to aid in the occupation of Karachi, which however fell without a struggle. In the same year during the operations which followed the evacuation of the British Residency at Bushire the Indian Navy ships *Tigris* and *Euphrates* were placed under the orders of Admiral Maitland, who on relinquishing his command in the Persian Gulf passed a high eulogy upon the conduct of both officers and men; and a still more favourable commendation was passed both by the Court of Directors in 1840 and the Bombay Government in 1839 on the conduct of Commander Haines, Lieutenant Daniell and Midshipman Nisbett at the bombardment and capture

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[1] It may be noted that the first sea-going steamer of the Bombay Marine was the *Enterprise* (500 tons), built in England and purchased by Government in 1827. Prior to this date, several river-steamers had been in use, notably the *Diana* which under her engineer, Mr. Anderson, performed useful work on the Irrawaddy during the first Burmese war. The second steamer was the *Berenice* built and launched at Bombay in 1837. She was of 756 tons burden, 220 horse-power and carried four 8-inch guns.

[2] Captain Sawyer received the thanks both of the Bombay Government and of the British Envoy at the Court of Persia, and was also permitted to accept a sword of honour from H. H. the Imam of Muscat.

of Aden in the latter year. [1] Nor must mention be omitted of Captain Moresby and Lieutenant Barker, both officers of the Indian Navy, who concluded the commercial treaty of 1840 with Sultan Muhammad bin Muhammad of Zeila, whereby the Mussah Islands in the bay of Tajura were ceded to the British. The same year is memorable for the outbreak of the China war (1840-42), when the Indian Navy ships *Auckland*, *Sesostris*, *Akbar*, *Memnon*, *Medusa* and *Ariadne* co-operated with the Royal Navy [2]; while in 1843 the *Mootner*, the *Satellite* and the *Planet* under Commander Nott participated in the expedition to Sind, the officers and crews of the three ships taking part in the battle of Miani and the capture of Hyderabad and receiving the Sind medal with clasps for their services. Shortly afterwards, on the outbreak of the insurrection of 1844-45 in the Southern Maratha Country, the Indian Navy carried to Vengurla the troops despatched to quell the revolt; and in the military operations of 1845-46 in New Zealand the *Elphinstone* under Commander Young played a prominent part in the capture of Ruapetapeka. Well deserved too was the commendation passed by the Court of Directors and the Governor-General upon Commander Powell and his men, who constituted the Indus flotilla during the operations prior and subsequent to the siege of Multan in 1848-49; and the honours awarded to officers of the Indian Navy on the close of the second Burma war (1852) were universally held to be but a just acknowledgment of the services of men who had shared in the capture of Martaban, Rangoon, Bassein, Prome and Pegu, and had borne no small part in the suppression of dacoity on the Upper Irrawaddy. One of the salient features of the war was the excellent shooting of the Indian Navy flotilla, which contrived that "the shells burst to a hair's breadth just

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[1] The Court of Directors presented Commander Haines with a sword valued at 200 guineas and Lieutenant Daniell with one valued at 100 guineas. To Midshipman Nisbett they presented Rs. 500 in consideration of the severe wound received by him during the attack. Govt. Order, 5th Sept. 1840. Low's History of the Indian Navy, II, 124-25.

[2] For his services in connection with the expedition to the China Seas, Captain Oliver, R.N., Superintendent of the Indian Navy was knighted in 1843. He died of sunstroke on the 5th April 1845.

where they were intended to, and did the precise amount of mischief required".[1] The year 1852 also witnessed the suppression of pirates on the north-east coast of Borneo by the *Semiramis* and *Pluto*, while the *Queen* and the *Elphinstone* were engaged four years later (1856) in helping the Turks to defend Hodeida.

Meanwhile the condition of affairs in Persia was such as to oblige the Indian Naval authorities to strengthen their squadron and commission new warships. The fall of Herat brought matters to a head and on the 1st November 1855, the Governor-General issued a declaration of war against Persia. The naval portion of the forces engaged was drawn entirely from the Indian Navy, with Rear-Admiral Sir H. J. Leeke in command, and Commodore Ethersay of the Indian Navy as second-in-command. Bushire was bombarded and captured on the 10th December 1855, and a similar fate befell the strongly-fortified town of Mohammerah on the 26th March, 1857. The latter action drew from the Governor-General in Council a most eulogistic notification, of which the following is an extract:— "That the officers, seamen, artillery-men, marines and others of the squadron did their duty with intrepidity and ardour is the smallest part of the praise which is owing to them. The plan of the naval attack, which was to be carried out in shoal and narrow waters, and in a rapid current, by steamers of heavy draught, some of them encumbered with vessels in tow, and the thoroughly successful execution of every part of it, without miscarriage or confusion of any kind in face of strong defensive works at point-blank range, have given proof of a cool judgment, a well-ordered discipline, and a skilful management, of which Commodore Young and the officers

[1] Bombay Times, 8th May, 1852. The Indian Navy ships engaged in the Burma war were the *Feroz*, *Muzaffer*, *Sesostris*, *Berenice*, *Zenobia*, and *Medusa*. Commodore Lynch was in command and received a C. B. on the close of the operations; Commanders Campbell and Remine were presented with swords of honour; and all the officers and men received the Ava medal and clasp. The special flotilla of river-gunboats for the suppression of dacoity was commanded by Lieutenant Aylesbury who received the thanks both of Lord Dalhousie and the Supreme Government for his services. In 1853 the *Feroz* and the *Medusa* were both wrecked on the Irrawaddy.

and men under his command may well be proud."[1] Among minor services performed by the Indian Navy at this date may be mentioned the participation of the *Auckland* (Commander Draught) in the suppression of piracy in Borneo in 1856-57 and in the military operations in South China, as well as the seizure of Perim Island in 1857 by Lieutenant Templar, commanding the *Mahi*. The outbreak of the Indian Mutiny in 1857 offered the Indian Navy further opportunity for active service. A naval brigade from the *Auckland, Punjaub, Semiramis, Zenobia and Coromandel* served for nearly three years in the military operations in Bengal and Assam ; the *Berenice* and *Victoria* transported troops both to Karachi and the ports of the South Konkan in the teeth of the south-west monsoon ; a second naval brigade co-operated with the military forces in the Southern Maratha country ; and Captain Jones of the Indian Navy earned the unqualified approval of both the Indian and British Governments for his energy and success in holding Persia and the Arab tribes of the Gulf at bay during the greatest crisis that British prestige in the East has ever had to face.[2] The tale of the war-services of this period closes with the successful bombardment of the Island of Bet in the Gulf of Cutch in 1859,[3] and the prosecution of the China war of 1860, in the course of which the attack on the Taku forts was led by the *Coromandel* under the command of Lieutenant Walker of the Indian Navy. Such is the record of war-service of the Indian Navy (the old Bombay Marine) up to the close of 1863,—a record in truth of which any country and any public service might be justly proud.

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[1] Notification of the Governor-General in Council, 22nd April, 1857.—Commodore Young succeeded Commodore Ethersay, who committed suicide, on the 17th March, 1857. At the close of the Persian War Sir H. J. Leeke was created a K. C. B., and the C. B. was conferred upon Commodore Young, Captains Griffiths and Jenkins, and Commander Rennie. The whole naval force received the war medal.

[2] Low's History of the Indian Navy, II, 410.

[3] Bet island had been seized by the piratical Waghers. The ships engaged in capturing it were the *Feroz*, *Zenobia*, *Berenice*, *Victoria*, *Clyde*, and *Constance*, under Commander Cruttenden.

As regards the organization of the Marine from 1830 to 1863, various facts deserve notice. In the first place the appointment of Master Attendant was abolished about 1831, his place being taken by a Controller of the Dockyard[1]; and in 1838-39 a steam-packet service for the carriage of mails to Egypt was instituted as an integral branch of the Marine. In fact, from this date the Marine exchanged its sailing vessels for steamers; the whole nature of the service was altered; and the establishment was reduced from 7 Captains, 12 Commanders and 45 Lieutenants to 4 Captains, 8 Commanders and 40 Lieutenants. This reduction resulted in many of the ships being under-officered, so that in 1841 the establishment had again to be increased to 6 Captains, 12 Commanders, 48 Lieutenants and 72 midshipmen and mates. Nor was this increase final; for in 1847 orders were issued fixing the full complement of officers at 8 Captains, 16 Commanders, 68 Lieutenants, 110 midshipmen, together with 14 Pursers and 12 Captain's clerks, 14 Masters and 21 Second Masters.[2]

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At the same time the Superintendent was created a Commodore of the first class in the Indian Navy, while the Assistant Superintendent was always to be a Captain on the effective list. The post of Superintendent was however finally abolished in the year following (1848), Commodore Sir Robert Oliver being created Commander-in-Chief of the Indian Navy; and the broad pennant of the Indian Navy, which had up to that date been identical with that of the Royal Navy, was exchanged for a red flag with a yellow cross and the Company's cognizance of a yellow lion and crown in the upper canton nearest the mast.[3] Ten years later (1858) on the assumption by Her Majesty of direct rule in India the designation of the Indian Navy was altered to that of Her Majesty's Indian Navy, but was again changed to that of the Bombay Marine in 1863, when a new code of regulations for the

1 Captain Cogan was the first Controller. He largely reduced expenditure without any sacrifice of efficiency.

2 Low's History of the Indian Navy, II, 199.

3 Low's History of the Indian Navy, II, p. 201. The Commodore in the Persian Gulf was allowed a similar flag with a blue field.

service was promulgated. Simultaneously with this alteration of title, European seamen were abolished from the service, and members of the sea-faring population of the Ratnagiri District were recruited in their place. These men, who have manned the vessels of the Indian Marine up to the present day, are descendants of the old coast pirates with whom the Bombay Marine waged so fierce a struggle during the seventeenth century.

The following table shows the net annual cost of the Indian Navy from 1853 to 1863, including the cost of the Bengal Marine, for which no separate accounts were kept[1] :—

Year.	Amount.	Year.	Amount.
1853-54 ...	£358,842	1858-59 ...	£1,000,000
1854-55 ...	£409,480	1859-60 ...	£1,000,000
1855-56 ...	£434,057	1860-61 ...	£760,000
1856-57 ...	£468,194	1861-62 ...	£333,000
1857-58 ...	£1,000,000	1862-63 ...	£222,000

From 1828 to 1839, during Sir Charles Malcolm's tenure of office as Superintendent of the Indian Navy, large surveys were conducted in the Red Sea, the Gulf of Aden and the Persian Gulf, under the auspices of Captain Elwon, Commanders Haines and Moresly and Lieutenant Wellstead. A portion of the east coast of Africa and Socotra Island was explored, and surveys were also carried out in the Maldive and Laccadive Islands and at the mouth of the Indus. But during Sir Robert Oliver's tenure of office (1839-45) Marine surveying was almost entirely abandoned : and it was not until 1844 that vessels were once again fitted out and commissioned for this purpose, and that surveying was again commenced on the west coast of India and in the gulf of Aden. In spite of difficulties and privations, an immense quantity of scientific work was accomplished between 1848 and 1863 on the Jhelum and Indus rivers, in the gulf of Cutch, and the

1 *Ibid.* II, 568. During the time of the Mutiny, when the Indian Navy despatched nearly 1,800 officers and men for employment on shore, and the Bengal Marine also had large contingents working in various parts of Bengal, the expenditure was abnormal and rose to nearly a million sterling.

coasts of Kathiawar, Gujarat, and Kanara. Surveys were also made of the harbours of Bombay and Chaul, of the coast of the North Konkan and of the South Malabar coast; while general surveys were conducted in the Bay of Bengal, in the gulf of Martaban, on the Pegu coast and the rivers of Burma, and as far south as the Straits of Malacca and the north coast of Sumatra.[1] In 1861 all the charts, sailing directions, original drawings and copper plates were transferred from the India Office to the Admiralty, and the Indian Marine Survey Department was placed under the control of the Hydrographer to the Admiralty.

Notwithstanding that the last forty years have 186
afforded very little opportunity for service in India, the Indian Marine has yet played its part in the struggles of the Empire. They were ships of the Bombay Marine and hired transports under the command of the Superintendent which conveyed the expeditionary force from India on the outbreak of the Abyssinian war in 1868; while two of the service gun-boats, the *Clyde* and the *Hugh Rose* took part in the operations against Bahrein in 1870. The troops, guns and ammunition required for the prosecution of the Afghan campaign of 1879 were likewise conveyed to Karachi by Indian Marine vessels, as also were the troops engaged in the Egyptian campaigns of 1882 and 1885. The officers and men of the Indian Marine employed in both campaigns received the Queen's Medal and the Khedive's Star. The year 1885 witnessed the fitting-out of H.M.I.M. turret-ship *Abyssinia* on a war-footing in consequence of the strained relations between the British and Russian governments; and in October of that year the troopships and river-steamers of the Indian Marine were again busily employed in the third Burmese War.[2] This was followed

[1] The most conspicuous of the Marine Surveyors of this epoch were Captains Constable, Ward, Heathcote, Dundas-Taylor, Rennie, Stiffe, Whish, and Dawes; and also Lieutenant Grounder, also of the Indian Navy, who in 1850 accompanied the Governor-General to Peshawar to explore the rivers of the North-West Frontier.

[2] For their services in Burma the officers and men of the Indian Marine received the India general medal with clasp and the commendation of the Governor-General in Council. The Distin-

by the Chin-Lushai expedition of 1889 and the Suakin expedition of 1896, in which the Indian Marine played an equally useful rôle ;[1] while on the outbreak of the South African War in 1899 the entire contingent from India was despatched by the Director of the Royal Indian Marine from Bombay with unequalled celerity, and a considerable number of the officers and seamen of the service were employed in transport and allied duties. They again saw service in the China War of 1900-01,[2] and in the operations in Somaliland in 1902-04, two officers and a detachment of men being attached to the field-force on the latter occasion and one of the Indian Marine vessels being stationed as a hospital-ship at Berbera.[3] Of achievements of other kinds may be noted the assistance given by the service at the Hindu-Muhammedan riots of 1893 in Bombay, and the part played in Lord Curzon's political tour of 1903 in the Persian Gulf, when the R.I.M.S. *Hardinge* was chosen to convey the Viceroy and his staff throughout the tour.

The Indian Trooping service was organized in 1867, with Captain Young as Resident Transport Officer in Bombay, and necessitated an increase of the personnel, which in 1870 comprised 12 commanders, 10 first officers, 11 second officers, 7 third officers, and 109 engineers divided into four classes. This was followed in 1877 by the entire reorganization of the marine service, Captain (afterwards Admiral) Bythesea, V.C.,C.B., C.I.E., having been appointed consulting naval officer to the Government of India for this purpose in 1874. Up to this date the vessels and crews of the Indian Marine had been subject neither to the Merchant Shipping Act nor to the Naval Articles of War, and there were no means of effectively controlling the crews. In accordance with the scheme propounded by Captain Bythesea the Bombay Marine was

guished Service Order was awarded to Commander Carpenter, R. N., of the Marine Survey and to Commander Campbell, I. M., transport-officer at Mandalay.

1 First grade officer G. E. Holland, I. M., was awarded the D. S. O. for his services as transport-officer in this expedition. He was subsequently given the companionship of the Indian Empire for similar work in South Africa.

2 Commander Elderton and Lieutenant Rowand both received the D. S. O. on the conclusion of the China War.

3 Commander Kendall received the D.S.O. on this occasion.

amalgamated with the other marine establishments in India under the title of Her Majesty's Indian Marine, the service being divided into a western division with its head-quarters at Bombay and an eastern division with its head-quarters at Calcutta: and the duties of the amalgamated service were defined to be (*a*) the transport of troops and government stores on the Indian coasts or to any country to which it might be necessary to despatch troops, (*b*) the maintenance of station-ships in Burma, the Andaman islands, Aden, and the Persian Gulf, for political, police, lighting and other purposes, (*c*) the maintenance of gun-boats on the Irrawaddy and Euphrates, and (*d*) the building, manning, repairing and general supervision of all local government vessels and launches and of vessels and launches used for military purposes.[1] This reorganization necessitated a redistribution of the staff, which in 1879 comprised 18 commanders, 10 first, 8 second, 9 third and 10 fourth officers; 6 mates and 9 gunners; 63 engineers and 10 clerks. In 1882 the rapid extension of the Marine Service led to the abolition of the appointments of Superintendents at Bombay and Calcutta which had formed part of the reorganization-scheme of 1877, and to the creation in their place of a Director, who was always to be an officer of the Royal Navy with his head-quarters in Bombay, and of a Deputy Director, to be an officer of the Indian Marine stationed in Calcutta; and in 1884 the post of Assistant Secretary to the Government of India (Marine Department) was replaced by that of Assistant Director of the Indian Marine.[2] But the tale of alteration was not yet complete. In October 1887 the present Indian Marine Act came into force, and in 1891 Her Majesty Queen Victoria issued an order in Council, altering the title of the Service to that of The Royal Indian Marine and ordering that under the titles of Commander, Lieutenant and Sub-Lieutenant, the Officers of the Marine should rank with, but junior to, Royal Naval Officers of equal rank and should wear the same uniform as Officers of the Royal

[1] Order of the Governor-General in Council, 6th July, 1877.

[2] Marine Circular 5 of 7th April, 1884. The post of Assistant Secretary had been created in 1880 on the vacation of his office as consulting naval officer by Admiral Bythesea. (*Vide* Order of the Governor-General in Council, 37 of 25th June, 1880).

Navy with the exception of the device on the epaulettes, sword-hilt, badges and buttons and of the lace on the sleeves. Previously, in 1884, the Admiralty had issued a warrant sanctioning the use by ships of the Royal Indian Marine of the present ensign (a blue flag with the star of India in the fly) and the Marine Jack (a Union Jack with narrow blue border). Since 1891 no further drastic alterations have been made ; but new regulations, designed to ameliorate the position of petty officers and seamen in regard to pension, were published in 1906, whereby the men are enrolled in the first instance for three years with the option of electing for further service. The total Marine charges for the year 1907-08 amounted to 20 lakhs and the number of officers in the service on the 1st April 1909 was as shown in the subjoined table :—

Rank.	Number.	Rank.	Number.
Commanders ...	28	Chief Engineers ...	8
Lieutenants ...	46	Engineers	41
Sub-Lieutenants ...	23	Assistant Engineers.	22

The number of petty officers, seamen and stokers employed in the service at the same date was about 1450, all of them being Muhammadans of the Ratnagiri District. A large number of men are also employed in the Dockyard and on military steamers and launches, who are all considered for purposes of discipline and pay, etc., as part of the Royal Indian Marine establishment.

The Marine Survey has continued to perform useful work. In 1878 it was re-organized as a department of the Indian Marine, Commander Dundas Taylor being appointed Superintendent of Surveys with his head-quarters and drawing office at Calcutta. By a subsequent order of 1882, however, the head-quarters were transferred from Calcutta to Bombay; and further re-organization was effected in 1883, whereby the Surveyor in charge and his three senior assistants were to be officers of the Royal Navy, the junior grades being filled by officers of the Indian Marine, while the office for the issue of charts and notices to mariners, etc., was located in the Bombay Dockyard. The season of

recess, May to October, during which the new charts are drawn, was under the new scheme to be spent in Poona. In the following year an appointment of Surgeon-Naturalist on board the surveying vessel *Investigator* was created for the purpose of furthering scientific enquiry into the deep-sea fauna obtained by dredging operations. At the present date (1906) two vessels the *Investigator* and *Nancowry* are engaged in surveying work, but are shortly to be replaced by two new ships; while since 1894 the posts of senior assistant in the Marine Survey have been filled entirely by officers of the Royal Indian Marine, who spend the recess at Coonoor in the Nilgiris.

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The Bombay Marine was largely concerned with the history of the Naval Defence Squadron, which came into existence in 1871. In that year the Indian Government purchased the two turret-ships *Abyssinia* and *Magdala* at a cost of £406,110 for the coast-defence of India, and deputed officers of the Bombay Marine to command and navigate them, the guns being worked for some little time by the Royal Artillery from Colaba. The squadron was increased in 1889 by the purchase of seven first class torpedo-boats, the *Mahratta*, *Rajput*, *Sikh*, *Gurkha*, *Pathan*, *Karen* and *Baluchi*. The Bombay Marine continued to be responsible for the maintenance of the squadron until 1892, when the whole defence fleet, comprising at that date the two turret-ships, two torpedo gun-boats (The *Assaye* and *Plassy*) purchased in 1892, and seven torpedo-boats, was handed over to the Admiralty as part and parcel of the defences of India. The *Magdala*, one of the gun-boats, and three torpedo-boats were kept in commission, the remainder being placed in reserve; and the whole squadron was under the command of a Captain in the Royal Navy with the title of Senior Naval Officer. The officers were drawn partly from the Royal Navy and partly from the Royal Indian Marine, while the crews were composed partly of blue jackets and partly of lascars. The Naval defence squadron lasted until 1903, during which period the officers of the Royal Indian Marine underwent regular courses of instruction in gunnery and torpedo-practice; but in February of that year it was decided to abolish the squadron, partly because the vessels

had become obsolete and partly because their presence no longer appeared necessary for the safeguarding of the coasts. The *Abyssinia* and *Magdala* were therefore sold and broken up ; the *Assaye* and *Plassy* with four torpedo-boats sailed for England ; and the remaining three torpedo-boats were retained in reserve at Bombay until the end of 1907, when they were sold.

The following statements show the strength of the Bombay Marine at different periods :—

1754.

Vessels.	Tonnage.	European officers and men.	Christian Topasses.	Lascars or Country Sailors.	Soldiers.	Total Complement.	Armament. Guns.	Armament. Pdrs.
New Cruiser ...	...	100	20	40	40	200	20	12
Bombay grab ...	363	80	16	34	31	161	18	9
Guardian ...	345	80	16	34	31	161	20	9
New Cruiser ...	...	80	16	34	31	161	18	9
Drake, ketch ...	220	40	10	24	20	94	14	6
Defence ...	70	16	10	16	18	60	12	4
Despatch sloop...	65	16	6	14	18	54	12	4
Content ...	50	8	6	14	18	46	8	4
Shark galivat ...	38	6	6	20	16	48	1 6	3 2
Dolphin ,, ...	37	6	6	20	16	48	1 6	3 2
Swift ,, ...	15	2	...	14	11	27	1 4	1 ½
New galivat ...	20	2	2	16	11	31	1 4	2 1
Do. ...	20	2	2	16	11	31	1 4	2 1
Five small galivats to be built.	20	2	2	16	11	31	1 4	2 1

1766.

Ship.	Guns.	Pdrs.	Ship.	Guns.	Pdrs.
Defiance	20	9	*Dolphin* Schooner.	8	8
Revenge	20	12	*Tiger* Schooner ...	8	8
Bombay Grab ...	20	9	*Fly* gallivat ..	1 4	2 1
Royal Admiral ...	18	6			
Eagle snow ...	16	6	*Wolf* gallivat ...	8	3
Drake snow ..	14	6	*Beagle* gallivat ...	8	3
Success ketch ...	12	4	*Passard* gallivat ...	6	3
Tartar snow ...	12	4	*Swift*	1 4	4 2
Fancy bomb ketch .	8	4			
Fox, ketch grab ...	6 2	3 4			

1802.

Description.	Name.	Guns.
Frigate	*Cornwallis*	56
Do.	*Bombay*	38
War sloop	*Mornington*	22
Do.	*Teigumouth*	16
Do.	*Ternate*	16
Brig	*Antelop*	14
Do.	*Fly*...	14
Snow	*Drake*	18
Do.	*Panthar*	14
Do.	*Viper*	14
Do.	*Princess Augusta*	14
Do.	*Princess Royal*	14
Do.	*Comet*	10
Do.	*Intrepid*	10
Ketch	*Queen*	14
Do.	*Rodney*	14

1828.

Description.	Name.	Guns.
Ship	*Hastings*	32
War sloop	*Elphinstone*	18
Do.	*Coote*	18
Do.	*Amherst*	18
Do.	*Clive*	18
Do.	*Ternate*	14
Do.	*Benares*	14
Do.	*Aurora*	14
Brig	*Antelope*	14
Do.	*Nautilus*	14
Do.	*Thetis*	10
Do.	*Euphrates*	10
Surveying Vessel ...	*Discovery*	6
Do. ...	*Palinurus*	8
Schooner	*Vigilant*	6
Do.	*Zephyr*	6
Several small craft ...	......	...

1841.

Class of Vessel.	Number.	Average Tonnage.	Number of Guns.
1. Sailing Vessels—			
War-sloops	3	400	18
Brigs	4	200	10
Schooners...	6	100	4
2. Steam-Vessels—			
Ships	7	800	...
Do.	2	950	...
River-Steamers	11	...	...

1870.

Name.	Description.	Tonnage.	Number of Guns.	Horse-power.
Amberwitch ...	Steamer ...	597	2	70
Comet	River-Steamer...	204	13	40
Clyde	Gunboat ...	300	4	80
Dalhousie	Steamer... ...	1,060	12	160
Earl Canning ...	Do.	661	2	150
Lord Elphinstone.	Do.	654	2	150
Hugh Rose ...	Gunboat... ...	300	3	8
May Frere ...	Steamer... ...	308	6	100
Quangtung ...	Gunboat... ...	533	10	150
Sind	Steamer... ...	408	4	140
Snake	Do. .. .	40	...	10
Satellite	Do.	335	...	60
and 8 Hulks				

1879.

Name.	Description.	Tons.	Horse Power	Guns.	Name.	Description.	Tons.	Horse Power	Guns.
Abyssinia ..	Turret-ship..	1854	200	4	*Quangtung* ..	Gunboat ..	531	150	6
Amberwitch..	Telegraph Steamer ..	597	70	2	*Tennaserim*..	Steam troop-ship ..	1760	250	..
Celerity ..	Steamer ..	459	150	..	*Undaunted* ..	Tug ..	470	200	..
Clyde ..	Gunboat ..	300	80	4	*Comet* ..	River-steamer.	204	40	2
Constance ..	Schooner ..	182	..	..	*Irrawady* ..	Do. ..	328	150	4
Czarewitch ..	Troopship ..	887	..	..	*Jaboona* ..	Do. ..	271	200	..
Dagmar ..	Tug ..	472	200	..	*Zhelum* ..	Do. ..	499	60	..
Dalhousie ..	Steam troop-ship ..	1060	160	10	*Koladyne* ..	Do. ..	200	90	..
Enterprise ..	Steamer ..	690	150	6	*Prince Albert*.	Do. ..	..	..	..
Hugh Rose ..	Gunboat ..	300	80	3	*Sir William Peel* ..	Do. ..	310	120	..
Magdala ..	Turret-ship .	2107	250	4					
May Frere ..	Despatch Steamer ..	308	100	6	*Teesta* ..	Do. ..	150	60	..

In addition to the above were 17 small steamers and launches, 6 flats and 3 hulks.

1889.

Name.	Description.	Tons.	Horse Power	Guns.	Name.	Description.	Tons.	Horse Power	Guns.
Abyssinia..	Turret-ship ..	1854	200	6	*Irrawady* ..	River-steamer.	614	750	4
Canning †..	Troopship ..	2245	1077	..	*Bhamo* ..	Do. ..	172	512	2
Clive * ..	Do. ..	2722	2300	..	*Pagan* ..	Do. ..	172	512	2
Comet † ..	River-steamer.	117	190	2	*Lawrence* ‡ ..	Despatch-vessel ..	903	1277	8
Dalhousie ‡	Troopship ..	1523	2202	..	*Magdala* ..	Turret-ship ..	2107	250	6
Enterprise §	Despatch-vessel ..	540	750	..	*Quangtung* ..	Gunboat ..	560	522	6
					Sladen ..	River-steamer	629	360	6
Investigator	Survey-vessel.	515	650	..	*Tennaserim*..	Troopship ..	1760	1152	..

* Built and purchased in England in 1883 for 16⅓ lakhs.

† These were purchased in 1884. The *Canning* was bought from the British India Steam Navigation Company. The *Comet* was intended for service on the Euphrates, with head-quarters at Bagdad.

‡ Purchased in 1887.

§ The *Enterprise* which served as station guard-ship at Port Blair was totally wrecked in a storm that passed across the Andaman Islands on the 2nd November 1891.

Besides the above were several small steamers and launches, flats and tugs.

1899.*

Name.	Description.	Tons.	Horse Power	Guns.	Name.	Description.	Tons.	Horse Power	Guns.
Canning ..	Troopship ..	2246	1077	..	*Bhamo* ..	River-steamer	172	316	2
Clive ..	Do. ..	2723	2304	..	*Lawrence* ..	Despatch-vessel ..	903	1277	4
Comet ..	Gunboat ..	117	90	2	*Mayo* ..	Station-ship ..	1125	2157	..
Dalhousie ..	Troopship ..	1524	2202	..	*Minto* ‡ ..	Despatch-vessel ..	960	2028	..
Elphinstone †.	Despatch-vessel ..	602	1669	..	*Nancoury* ..	Survey-vessel.	70	101	..
Investigator ..	Survey-vessel.	515	650	..	*Sladen* ..	River-steamer	270	360	3
Irrawaddy ..	River-steamer	338	750	2					

* Besides the ships shown in the table there were several small steamers, launches, tugs and flats. On September 4, 1893 the *Warren Hastings* (troopship) was added to the service. She was totally wrecked on the 14th January 1897 off Saint Philippe, a village on the south coast of Reunion Island.

† Purchased in 1892. The original name of the vessel was the *Hindoo.*

‡ Purchased in 1893.

Statement Shewing the Strength of the Royal Indian Marine in 1909.

Name.	Description.	Gross tonnage.	Indicated horse power.	Guns.
Comet ...	...Gunboat ...	182	190	2
Dalhousie...	...Troopship ...	1,524	2,202	...
Dufferin ...	... Do. ...	6,291	10,191	...
Elphinstone	...Station ship ...	602	1,669	...
Hardinge...	...Troopship ...	5,434	9,366	...
Investigator (*a*) ...	Survey-vessel ...	1,014	1,400	...
Lawrence...	...Despatch-vessel	903	1,277	4
Bhamo ...	...River-steamer...	172	250	...
Mayo ...	...Station-ship ...	1,125	2,157	...
Minto ...	...Despatch-vessel	960	2,025	...
Northbrook (*b*)	...Troopship ...	5,039	7,249	...
Palinurus (*c*)	...Survey-vessel ..	299	486	...
Sladen ...	...River-Steamer.	270	360	3

(*a*) Purchased in 1907 to replace old *Investigator*.
(*b*) Purchased in 1906 to replace the *Canning*.
(*c*) Purchased in 1907 to replace *Nancowry*.

APPENDIX I.

Judges of the High Court at Bombay from 1862.

Names.	Assumed charge of office.	Remarks.
I—CHIEF JUSTICES.		
The Honourable		
Sir Mathew Richard Sausse, Kt., Bar.-at-Law.	1 Apl., 1859	
Sir Richard Couch, Kt., Bar.-at- Law.	28 Apl., 1866	
Sir Michael Roberts Westropp, Kt., Bar.-at-Law.	1 Apl., 1870	
Sir Charles Sargent, Kt., M.A. (Cantab), Bar.-at-Law.	9 Aug., 1882	
Sir Charles Frederick Farran, Kt., Bar.-at-Law.	28 June, 1895	
Sir Louis Addin Kershaw, Kt., Bar.-at-Law.	9 Nov., 1898	
Sir Lawrence H. Jenkins, Kt., M.A., (Oxon), Bar.-at-Law.	22 Apl., 1899	
Sir Basil Scott, Kt., M.A., (Oxon), Bar.-at-Law.	22 Apl., 1908	
II—PUISNE JUSTICES.		
The Honourable		
Sir Joseph Arnould, Kt., Bar.-at-Law.	28 Apl., 1859	
Mr. Richard Couch, Bar.-at-Law.	14 Aug., 1862	Afterwards Chief Justice
,, Henry Hebbert, C.S.	June, 1862	
,, Claudius James Erskine, C.S.	14 Apl., 1863	
,, Alexander Kinloch Forbes, C.S.	14 Aug., 1862	
,, Henry Newton, C.S.	29 Aug., 1862	
,, Augustus Brooke Warden, C.S.	14 Feb., 1866	
,, Henry Pendock St George Tucker, C.S., and Bar.-at-Law.	11 June, 1863	
,, Michael Roberts Westropp, Bar.-at-Law.	29 Aug., 1863	Afterwards Chief Justice
,, J. S. Hore, Bar.-at-Law.	......	Acting.
,, Thomas Chisholm Anstey, Bar.-at-Law.	......	Acting.
,, Janardhan Wassoodewji, Pleader.	......	Acting.
,, James Gibbs, C.S., and Bar.-at-Law.	20 Feb., 1866	
Sir Charles Sargent, Kt., M.A. (Cantab), Bar.-at-Law.	28 Apl., 1866	Afterwards Chief Justice
Mr. Francis Lloyd, C.S.	1869	
,, Lyttelton Holyoake Bayley, Bar.-at-Law.	29 Apl., 1869	(Afterwards Sir Lyttelton H. Bayley) Acted as Chief Justice.

Names.	Assumed charge of office.	Remarks.
The Honourable Mr. Maxwell Melvill, C.S. ...	21 June, 1871	(Afterwards Sir Maxwell Melvill).
,, Charles Gordon Kemball, C.S., and Bar.-at-Law.	23 Aug., 1871	
,, Raymond West, M.A., C.S., and Bar.-at-Law.	8 Septr., 1873	(AfterwardsSir Raymond West).
,, J. P. Green, LL.B., Bar.-at-Law.	22 Feb., 1873	
,, Robert Hill Pinhey, C.S., and Bar.-at-Law.	12 Feb., 1875	
,, Nanabhai Haridas, LL.B., Pleader.	10 June, 1884	
,, John Marriott, Bar.-at-Law	......	Acting.
,, Baron De H. Larpent. C.S.	......	Acting.
,, G. Atkinson, Bar.-at-Law..	......	Acting.
,, F. D. Melvill, C.S.	......	Acting.
,, F. L. Latham, Bar.-at-Law	......	Acting.
,, J. Scott, Bar.-at-Law.	18 Nov., 1882	(Afterwards Sir John Scott).
,, H. M. Birdwood, M.A., L.L.D. (Cantab), C.S. and Bar.-at-Law.	8 Jan., 1885	
,, W. E. Hart, Bar.-at-Law.	......	Acting.
Sir W. Wedderburn, Bart., C.S.	......	Acting.
Mr. John Jardine, C.S.	17 Nov., 1885	(Afterwards Sir John Jardine)Acted as Chief Justice.
,, C. F. Farran, Bar.-at-Law.	12 April, 1890	Afterwards Chief Justice
,, H. J. Parsons, C.S. and Bar.-at-Law.	21 Nov., 1887	Acted as Chief Justice.
,, E. T. Candy, C.S.	13 June, 1892	Acted as Chief Justice.
,, K. T. Telang, Advocate.	25 Nov., 1889	
,, E. M. H. Fulton, C.S.	9 Feb,, 1897	
,, M.H.Starling, Bar.-at-Law	......	Acting.
,, M. G. Ranade, M A., LL.B., C.I.E., Advocate.	Nov., 1893	
,, A. Strachey, Bar.-at-Law.	27 Nov., 1895	Afterwards Chief Justice of the High Court of N. W. Provinces.
,, Mr. Budrudin Tyabji, Bar.-at-Law.	5 July, 1895	Acted as Chief Justice.
,, E. Hosking, C.S.	8 Dec., 1898	Acting.
,, L. P. Russell, Bar.-at-Law.	6 June, 1900	Acted as Chief Justice.
,, W. H. Crowe, C.S. and Bar.-at-Law.	......	
,, H. Batty, C. S.	29 April, 1902	
,, G. C. Whithworth, C.S.	...	Acting.
Sir Narayan Ganesh Chandavarkar, B.A., LL.B.	17 Jan., 1901	Acted as Chief Justice.
Mr. V. J. Kirtikar, Pleader ...	9th Sept., 1903	Acting.
,, H. F Aston, C.S., Bar.-at-Law.		

Names.	Assumed charge of office.	Remarks.
The Honourable.		
Mr. G. Jacob, C.S.	......	Acting.
,, S. L. Batchelor, B.A. (Oxon) C.S.	29 July, 1904	
,, B. Scott, M.A. (Oxon), Bar.-at-Law.		Acting. Afterwards Chief Justice.
,, D. D. Davar, Bar.-at-Law.	9 Nov., 1906	
,, F. C. O. Beaman, C.S.	15 Feb., 1907	
,, J. J. Heaton, C.S.	26 Mar., 1908	
,, M. P. Khareghat, C.S.	......	Acting.
,, E. M. Pratt, C.S.	......	Acting.
,, R. Knight, C.S.	......	Acitng.
,, M. C. MacLeod, B.A. (Oxon), Bar.-at-Law.	......	Acting.
,, M. B. Chaubal, B.A., LL.B., Pleader.	......	Acting.

APPENDIX II.

Commanders-in-Chief in Bombay from 1785.

Names.	Assumed charge of office.	Remarks.
Brig.-General Lawrence Nilson.	6 Jan., 1785	
Major-General William Medows.	6 Sept., 1788	Also Governor.
Colonel Robert Abercromby ...	21 Jan., 1790	Also Governor.
Major-General James Balfour ...	*1794*	*Commanding the forces.*
Major-General James Stuart ...	17 Jan., 1797	
Major-General R. Bowles ...	*1800*	*Commanding the forces.*
Major-General R. Nicholson ...	......	*Commanding the forces.*
Major General Oliver Nicolls ...	22 Jan., 1801	
Major General J. Bellasis ...	*1808*	*Commanding the forces.*
Major General R. Jones ...	......	*Commanding the forces.*
Major-General the Hon. John Abercromby.	28 Nov., 1809	
Major-General W. Wilkinson ...	*1813*	*Commanding the forces.*
Major-General C. Boye	*1815*	*Commanding the forces.*
Lieut.-General Sir Miles Nightingale, K.C.B.	24 Feb., 1816	
Lieut.-General the Hon. Sir Chas. Colville, G.C.B., G.C.H.	9 Oct., 1819	
Major-General S. Wilson... ...	*1826*	*Commanding the forces.*
Lieut.-General Sir Thomas Bradford, K C.B.	3 May, 1826	
Lieut.-General Sir Thomas S. Beckwith, K.C.B.	3 Dec., 1829	Also Governor. Died, 15th January, 1831.
Major-General J. S. Barns, C.B.	*1832*	*Commanding the forces.*
Lieut.-General Sir Colin Halkett, K.C.B., G.C.H.	21 Jan., 1832	

Names.	Assumed charge of office.	Remarks.
Major-General Sir J. S. Barns, K.C.B.	*1834*	*Commanding the forces.*
Lieut.-General Sir John Keane, K.C.B., G.C.H.	2 July, 1834	
Major-General Sir J. S. Fitzgerald, K.C.B.	*1838*	*Commanding the forces.*
Lieut.-General Sir Thomas McMahon, Bart, K.C.B.	14 Feb., 1840	
Lieut.-General Sir Willoughby Cotton, G.C.B.	8 April, 1847	
Lieut.-General Sir John Grey, K.C.B.	30 Dec., 1850	
Lieut.-General Lord Frederick Fitz-Clarence, G.C.H.	22 Nov., 1852	
Lieut.-General Sir Henry Somerset, K.C.B., K.H.	26 March, 1855	
Lieut.-General Sir Hugh H. Rose, G.C.B.	March, 1860	Afterwards Baron Strathnairn. Became Commander-in-Chief in India, 4th June, 1860
Lieut.-General Sir Wm. Rose Mansfield, K.C.B.	16 May, 1860	Afterwards Baron Sandhurst. Became Commander-in-Chief in India, March, 1865.
Major-General Sir Charles Van-Stranbenzee, K.C.B.	*15 March, 1865*	*Commanding the forces.*
Lieut.-General Sir Robert C. Napier, K.C.B.	30 Nov., 1865	Afterwards Baron Napier of Magdala.
Major-General the Hon. A. H. Gordon, C.B.	*29 May, 1868*	*Provincial Commander-in-Chief.*
Lieut.-General the Hon. Sir Augustus A. Spencer, K.C.B.	27 Aug., 1869	
Major-General Sir Charles W. D. Stavely, K.C.B.	7 Oct., 1874	
Lieut.-General H. J. Warre, C.B.	9 Oct., 1878	
Lieut.-General the Hon. A. E. Hardinge, C.B.	30 March, 1881	
Lieut.-General Sir Robert Phayre, K.C.B.	*11 Dec., 1885*	*Provincial Commander-in-Chief.*
Lieut.-General Sir Charles G. Arbuthnot, K.C.B.	16 Feb., 1886	
Lieut.-General H. R. H. the Duke of Connaught, K.G., K.T., K.P., etc.	10 Dec., 1886	
Lieut.-General A. Carnegy ...	*May, 1887*	*Provincial Commander-in-Chief during H. R. H.'s absence on furlough.*
Lieut.-General Sir G. R. Greaves, K.C.B., K.C.M.G.	14 March, 1890	
Lieut.-General Sir J. Hudson, K.C.B.	1 April, 1893	Died, 9th June, 1893.
Major-General R. Blundell-Hollinshead-Blundell.	10 June., 1893	Provincial Commander-in-Chief.
Lieut.-General C. E. Nairne, C.B.	4 Sept., 1893	Post abolished on 1st April, 1895.

APPENDIX III.

The Heads of the Sea Service in India.

Date of appointment.	Name.	Remarks
1668 ...	Captain Young	Hon. E. I. Company's Marine, at one time Deputy Governor of Bombay.
1683 ...	Mr. (afterwards Sir) John Child.	Captain General or Admiral of the sea and land forces, with Sir Thomas Grantham, E. I. Co.'s Marine, as Vice Admiral.
1685 ...	Sir John Wyborne ...	Vice Admiral or Deputy Governor of Bombay.
1688 ...	Captain Alexander Hamilton.	Commodore or Commander-in-Chief, Hon. E. I. Company's Naval forces at Bombay and on the coast of India.
1738 ...	Commodore Bagwell ..	Commodore of the Marine Forces.
1739 ..	Charles Rigby, Esq. ..	Deputy Governor of Bombay, or Commander-in-Chief of Hon. Company's fleets or squadrons.
1754 ...	Captain Samuel Hough.	Superintendent of Bombay Marine.
1798 ...	Mr. Phillip Dundas ..	,, ,, ,, ,,
1802 ...	Captain William Taylor Money.	,, ,, ,, ,,
1813 ...	Captain Henry Meriton.	,, ,, ,, ,,
1825 ...	Captain Thomas Buchanan.[1]	,, ,, ,, ,,
1827 ...	Captain Sir Charles Malcolm, C.B., R.N.	Superintendent of Bombay Marine. First officer of Royal Navy to hold this appointment.
1838 ...	Captain (afterwards Commodore Sir) Robert Oliver, R N.	Superintendent of Indian Navy; title changed during tenure to Commander-in-Chief.
5-8-1848..	Captain Lynch, I. N. (office).	Commander-in-Chief, Indian Navy.
31-8-1848..	Commodore Hawkins, I.N. (office).	,, ,, ,, ,, ,,
27-1-1849 .	Captain Stephen Lushington, R.N.	Commodore & Commander-in-Chief, Indian Navy.
3-1851 ...	Captain Sir H. J. Leeke, K. H. R. N.	,, ,, ,, ,, Afterwards Rear Admiral, K.C.B.
3-1857 ...	Captain G. Greville Wallesley, C.B., R.N.	Commodore and Commander-in-Chief, Indian Navy.
7-7-1862 ...	Captain James Finshard I. N.	,, ,, ,,
30-4-1863..	Captain John Wellington Young, C.B., late I.N.	,, ,, ,,
1872 ...	Admiral Mends	Appointed by Government to report on workings of Marine Departments.

[1] He resided in Chintz Poglie (Chinchpugli) (see Mrs. Elwood's Narrative of Overland Journey, 1830).

Date of appointment.	Name.	Remarks.
5-8-1877 ...	Captain John Bythesea, V.C., C.B., R.N., afterwards Rear Admiral, C. I. E.	Consulting Naval Officer to the Government of India in the Marine Department.
7-3-1882 ...	Captain W. H. Brent, R.N.	Director of Indian Marine.
26-11-1883	Captain John Hext, R.N., (afterwards Rear Admiral Sir John Hext K.C.I.E.).	,, ,, ,, ,, (afterwards (1892) Director of Royal Indian Marine).
5-3-1898 ...	Captain W. S, Goodridge, R.N.	Director of Royal Indian Marine.
5-3-1904 ...	Captain G. H. Hewett, R.N.	,, ,, ,, ,, ,,
17-3-1909	Captain Walter Lumsden, R.N.	,, ,, ,, ,, ,,

CHAPTER VIII.

LAND ADMINISTRATION.

eneral story. Of the system of administration during the epoch of Hindu and Musalman sovereignty no record remains, save the remarks of a few Portuguese writers to the effect that the land was rented annually for a fixed sum of money during the period of Muhammadan rule, and that this system may have been in vogue at the time of Raja Bimb.[1] It is clear, however, that when the Portuguese obtained possession of the island they found a land-system resembling that which had obtained in Goa, since its conquest in 1510, and on that account introduced little or no alteration in it. They styled the system *arrendamento*, *i.e.*, hiring or renting.

In 1548, however, the Viceroy, D. João de Castro, finding himself surrounded by a body of officers who had rendered signal military service and having no means of suitably rewarding them, decided to parcel out the lands of Bassein among them. Botelho protested[2] against the system in vain. The Viceroy desired his officers to defend and at the same time to colonise the territory of Bassein and its dependencies. Some of these grants of his were for one or three lives, always with a renewable clause,[3] and some were vested in females and considered as their dower. To prevent alienation the Portuguese who married these heiresses were forbidden to sell these estates even if they retired

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[1] J. Gerson DaCunha's Origin of Bombay (1900), p. 215.

[2] According to Botelho the grant was to have been restrained by its primitive institution to barren lands, but D. Castro applied it to fruitful lands.

[3] The best example may be found in the creation and tenure of the ancient manor of Mazagon. Castro leased it to Antonio Pessoa in 1548 for the term of the lessee's and his wife's life. For detailed accounts of this estate, see Da Cunha's, Origin of Bombay, pages 218-228, and Bombay Gazetteer, Vol. XXVI, Part III, p. 431, *etc.*

from the country. These gifts in the absence of a female successor reverted to the State. In Bombay these *aforamento* grants of lands carried with them certain obligations of a feudal character. The grantees had to serve the King whenever occasion arose and attend on demand with a certain body of men fully equipped according to rank. The system in fact involved both a right and a duty,—the right to enjoy and the duty to defend the land, and was styled *aforamento* or the holding on payment of a *foro* or quit-rent varying from 4 to 10 per cent. of the usual rental. Subletting was permitted on practically the same terms. Besides these the Portuguese Government received subsidies and free donations towards the public charge of the State.

During the period of Muhammadan ascendancy the annual quit-rent of Bombay is stated to have been 14,400 fodeas. In 1538, ten years after its acquisition by the Portuguese, Bombay was rented in perpetuity to Garcia D'Oarta, a physician and professor of Lisbon for a yearly quit-rent of 1432½ *pardaos* (Rs. 537).

The island of Bombay was ceded to the Crown of England by the Crown of Portugal by virtue of the 11th article of the Treaty of Marriage between King Charles II of England and the Infanta Catherine of Portugal. The actual cession however did not take place till 1664, when Humphrey Cooke was practically forced to accede to a treaty with the Portuguese, whereby he renounced all pretensions to the dependencies of Bombay and accepted the cession of Bombay itself under various conditions. Some of these conditions were as follows :—

(1) That the Kunbis, Bhandaris, and the rest of the people Abunhados (sort of people bound to serve landowners) or inhabitants of the villages under the Portuguese jurisdiction shall not be admitted at Bombay.

(2) That every person possessing revenue at Bombay either patrimonial or Crown lands shall possess the same by right and shall not be deprived thereof except in cases which the law of Portugal directs.

(3) That the inhabitants of Bombay and the landholders of that island shall not be obliged to pay more than the *foras* they used to pay to Portugal.

(4) The Portuguese residents shall be exempted from the payment of Customs and shall have liberty of trade from Bandora and the creeks of Salsette.

The King on receiving a report of this arrangement disavowed the convention as contrary to the terms of the treaty and appointed Sir Gervase Lucas to be Governor of Bombay. Sir Gervase Lucas arrived in Bombay on the 5th November 1666 and took charge of the Government. He instituted an enquiry into the proceedings and conduct of Mr. Cooke and found that instead of carrying the revenues to His Majesty's account he had extorted the sum of 12,000 Xeraphins from the inhabitants and converted it to his own private use. The account which Sir Gervase Lucas subsequently transmitted, afforded evidence of the improvident convention which Cooke had signed without ascertaining the King's rights, or obtaining a statement of the extent of the dues transferred to the Crown of England. In his letter to Lord Arlington of the 21st March 1667, Sir Gervase stated that he was making every effort to increase the King's revenue, but from the indefinite conditions on which Cooke had received the island it was impracticable to ascertain which of the inhabitants were legally possessed of sufficient titles to their estates, no stipulation having been made relative to the King's sovereignty of the soil, as some of the best estates in the island refused to pay rent, and produced titles which could not be disputed, though believed to be fictitious.[1]

Sir Gervase Lucas died on the 21st May 1667 and Captain Gary succeeded as Governor. About the close of the year Mr. Gary transmitted with his letter to the King and to the Secretary of State a statement of the revenues of the island, as improved by Sir Gervase Lucas and himself, from which it appeared that the rent of Mazagon was 9300 Xeraphins, Mahim 4797, Parel 2377, Vadala 1738, Sion 790, Varli 571, and Bombay 6344, making a total of 25,920 Xeraphins.

The friction and rivalry between Bombay and Surat and the cost and the trouble of managing Bombay

[1] Warden's Report on the Landed Tenures of Bombay (1861), p. 5.

resulted in 1667 in the offer of the Company to take over Bombay, and the Crown of England considering the island an unprofitable possession, transferred it to the East India Company by Letters Patent, dated the 27th March 1668. By this Charter the King granted the Port and Island of Bombay to the East India Company in perpetuity with all the rights, profits and territories thereof, to be held by the Company of the King in free and common soccage as of the Manor of East Greenwich in payment of an annual rent of £10. The Company were neither to sell nor part with the island. The island was delivered over to Sir George Oxenden, who took possession of it in the name of the Honourable Company on the 21st September 1668. In the next year it was proclaimed that all acquisition of land by individuals prior to 1661 proceeded from imperfect right, but it appears that the proclamation remained a dead letter.

Between 1664 and 1668, while Bombay was under the Crown, the attempt to inquire into titles and assess the lander-holders caused such serious injustice and discontent that the Company instructed their President, Mr. Aungier, to forego inquiry into title, and in conjunction with the land-holders to fix a lump sum as their rent payment, leaving their senior land-holders to allot his share to each individual holder. In accordance with these instructions Mr. Aungier concluded the following agreement dated the 12th November 1672 with the representative land-holders.

"Whereas since this isle of Bombay was surrendered to the possession of His Sacred Majesty of Great Britain, some occasion of great discontent did succeed through the want of a due understanding what did belong of right to the Crown and what did belong to the people, which gave to the original cause of seizing of lands and estates of several people to the general disquiet of His Majesty's subjects; And whereas since His Sacred Majesty did by his Royal Grant bestow the isle of Bombay to the Honourable East India Company, orders were issued by the Governor and Council of this isle, in obedience to His Majesty's and the Honourable Company's com-

mands, for restoring the said lands to the persons who were aggrieved, provided that upon examination of their titles they could show just right thereunto. It so happened that, in the examination and decision of the said titles, many doubts and important causes did arise which might have given great cause of disquiet to the present possessors of houses and estates in the isle that the titles in right of which they held their lands had become exposed to censure. The people therefore thought fit of their own free motion, by mutual assent in a public declaration and manifesto, to propose to the Governor and his Council that they would pay a yearly contribution, or composition of twenty thousand Xeraphins per annum to the Honourable Company, including the present quit-rent or foras, provided that the present possessors of their respective lands and estates may be confirmed and established in their possessions and thereby be secured from all doubts and scruples that may arise thereafter. Also that the lands formerly seized may be restored to the pretenders thereunto. The Governor and Council have duly weighed the said proposals, and having just regard to the quiet content and satisfaction of the good people in general and to the establishment of this Government on the firmest basis of an everlasting and universal peace and tranquillity, did think good to appoint a general assembly of the chief representatives of the said people to be held at the Castle of Bombay on the 1st of October last. In this assembly the said Governor and Council, for the reasons before expressed, did cheerfully give their assent to the people's own desire for the further confirmation of this agreement. Thereupon the said representatives of the people did, on the 4th of October following, present unto the Governor and Council a paper containing twelve articles, wherein matters of consideration and further debate arising it pleased the said Governor and Council to appoint another general assembly whereunto all the people in general interested in this affair were invited to appear, that the debates and controversies on both sides being publicly and fairly stated and all scruples amicably and justly controverted, a happy issue and accommodation might be confirmed to the

security as well of the Honourable Company as of their subjects and inhabitants in general. This assembly was held in Bombay Castle on the 1st of this current November where was then present the Honourable Gerald Aungier Governor and President, Mr. Henry Chowne, Mr. John Child, Mr. Geo. Wilcox, Mr. James Adams Attorney General for the Honourable Company, Mr. Stephen Ustick, all of the Council, as also Mr. Samuel Walker Secretary to the said Council, Signor Antonio Ifretis deSilva the Portuguese Secretary, Signor Luis Cassadive de Lima Assistant to the Attorney General, Father Reginald Burgos Procurator for the Reverend Father of the Society of Jesus, Mr. Henry Gary, Signor Alvaro Perez de Tavora Lord of the Manor of Mazgaon, Signor Pedro Luis Timon Procurator, Signor Martin Alferio de Mello, Francisco Pretto, Juan Pereira, and Antonio de Lima of Bombay, formerly chosen representatives of the people of this isle in general, when the said declaration and articles presented by the people were publicly read. The contents whereof are as follows ; the substance of the composition between the Honourable East India Company and inhabitants of the isle, Bombay and Mahim, subjects of the said Company and others having lands of inheritance on this isle or living in other places.

(1) That for the better way of agreeing in the express charges that Company have for the defence of this isle, the inhabitants and others aforesaid do offer to the Honourable Company 20,000 Xeraphins yearly including in this sum the quit-rents that they did pay formerly and desire these conditions, namely:

(2) That by virtue of this contract all law suits and controversies shall cease between the Honourable Company and the said subjects interested in this isle, concerning the possession they had formerly in their estates thereon when His Sacred Majesty of Great Britain took possession of it.

(3) That by the said composition the Honourable Company shall of new confirm the estates of the said inhabitants notwithstanding any suspicion that the

present possessors may have fallen into until this present time.

(4) That if the Honourable Company do grant to any persons not to pay what may come to their shares, then that the said sum shall be deducted out of the 20,000 Xeraphins, and this in respect of this composition is made upon all estates and lands of inheritance of those interested on the isle.

(5) That the estates that are seized on shall be delivered again to the old possessors of what conditions soever.

(6) That in respect the restoring the several estates the Honourable Company would be pleased to excuse the measuring the same that the people may not be also at great charge considering their extreme poverty.

(7) That for the time to come if any estates on the isle come to the Honourable Company by any title whatsoever, or likewise by cutting any tree, or seizing any oarts or batty grounds for the use of building the city or other ground for the defence of it or any other fortification, that the quantity that amounts to the said estate with the quit-rents shall be deducted according to the value of the palmyras or the ground.

(8) That the possessors may dung the trees and ground with babaxim (small fish) and *cuta* (fish manure) as they ever did do, without paying anything for the same as duty by way of excise or custom, but what was formerly paid.

(9) That in case of any storm or other damage (which God forbid) the Honourable Company shall deduct out of the 20,000 Xeraphins according to the loss of their estates which shall be done by honest persons from the said inhabitants.

(10) That for the more expedient raising the sum as likewise for the valuing the estates, and for the giving satisfaction to the Honourable Company at the time to come, the inhabitants shall appoint the persons, to whom the Company shall give power for raising the said sum which shall be done for the quietness of the inhabitants and the interest of the Honourable Company as it will but only be at the Company's charge to allow two guards at both places, Bombay and Mahim.

(11) That the said 20,000 Xeraphins shall begin to be paid on the 9th February 1673 in three payments every year, and the said Honourable Company shall not demand the payment before that time.

(12) That one of the principal things in this composition is the quietness and security of the inhabitants, who desire His Honour with the gentlemen of his Council and other Ministers of the Honourable Company, to accept and establish this contract with the conditions herein mentioned, and that it be confirmed by His Sacred Majesty of Great Britain and the Honourable Company with all that is necessary to be done without any invocation (innovation ?). All which the inhabitants desire to be done with all possible speed.

These articles being seriously and publicly debated, and all material scruples discovered and answered on both sides, it pleased the Governor and Council out of their earnest and unfeigned desire to promote the public good, peace and tranquillity of the isle, and to unite the hearts of the inhabitants in a firm and indissoluble tie of obligation to His Sacred Majesty and Honourable Company's service, to declare their assent to the said articles in the manner and on the conditions following :—

(1) That in consideration of the 20,000 Xeraphins to be paid annually at three payments into the Honourable Company's treasury, the said Governor and Council do in behalf of the Honourable East India Company promise to put a final end to all claims, pretences, and law suits whatsoever which have arisen or may arise between the Honourable Company and the people touching the titles, lands or estates of palmyras, cocoanut trees, or batty grounds, throughout the whole isle excepting what is by joint agreement excepted.

(2) That to the present possessors be granted new patents, confirmed according to the respective titles, by which their heirs and successors shall enjoy their estates.

(3) That if the Governor and his Council at present in power, or their successors shall think good, in behalf of the Honourable Company, to exempt any person enjoying the said lands from paying his proportion of the said contribution, or shall make use of any part of the said

lands for the necessary occupation of the public, abatement shall be made out of the said contribution, in proportion to the lands so exempted or dispossessed of, and this in respect the said contribution is made upon all the estates and lands of inheritance of the whole isle.

(4) That all the estates of batty grounds and cocoanut trees seized by former Governors and now in possession of the Honourable Company shall be restored to their respective owners, and they, their heirs and successors confirmed in their said possession as above is expressed.

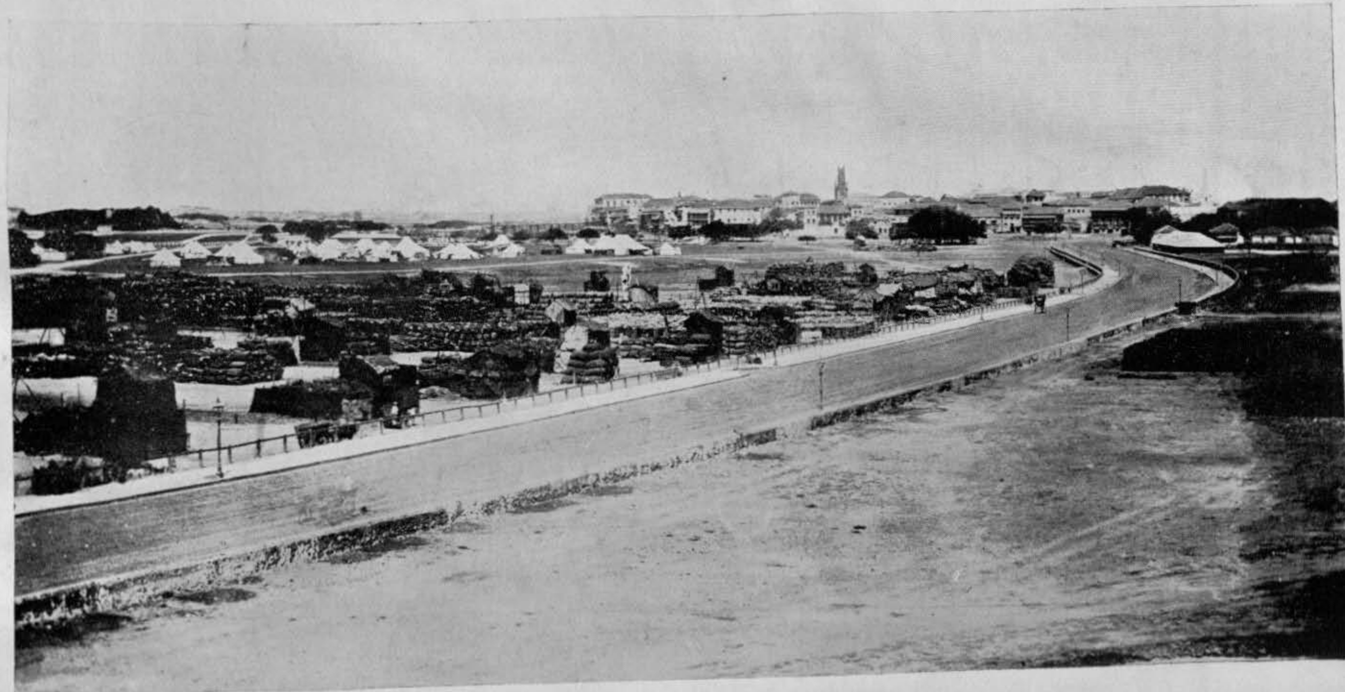
(5) That if, in time to come, any of the said lands or estates shall fall to the Honourable Company by any title whatsoever, as also if any trees shall be cut down, or any oarts of batty ground made use of for the building of cities, towns or fortifications, then the value of the said lands or trees shall be computed, and a proportionable abatement made out of the contribution as is expressed in the third article.

(6) That as to the particular of dunging the palmyras and batty grounds with fish it is agreed unto by the Governor and Council and granted of as much import to the contribution that what part of the isle hath this year been permitted to be dunged with babaxim shall be still permitted, reserving the ground which is comprehended within the line of the city which by God's assistance is intended to be built. But in respect the above said dunging the ground is forbidden generally by express orders from the Honourable Company of London, it is necessary that their license be had thereunto. For the effectual securing of this it is convenient that the people do send their humble petition to the Honourable Company by their ships, and the Governor and Council will intercede in their behalf and doubt not but they will be pleased to confirm the grant, seeing that it is so profitable to the public.

(7) That in case hereafter by reason of any storm or calamitous accident (which God divert), part of the said lands or estates be destroyed or rendered incapable of bearing fruit, it shall be referred to the Governor and Council then being to make such reasonable allowance



COLABA CAUSEWAY. Circa 1860.



COLABA CAUSEWAY. Circa 1860.

of the contribution, as shall consist, with equity, good conscience, and ease of the inhabitants.

(8) That for the greater convenience and ease of the people in raising the said sum of 20,000 Xeraphins per annum liberty shall be granted to the interested for to nominate and appoint from among themselves such persons of sober and honest reputation as they shall think fit for the proportionable valuation of all estates and lands and for the collecting and receiving the said money and paying it into the Honourable Company's treasury, which said persons are to be confirmed by the Governor, and shall take an oath on the Holy Evangelists to deal justly and impartially with all. That the Honourable Company shall not be at any charge in receiving the said sum. But for the greater authority and accommodation of the said persons so appointed, two officers shall be ordered by the Governor in behalf of the Honourable Company to assist them in their said office, as occasion shall require.

(9) That all royalties, rights, privileges, and immunities which did formerly belong to the Crown of Portugal of Foras and Royal rents of what nature or condition soever shall be reserved as of right they belong to the Honourable Company.

(10) That in regard the little isle Colio (Colaba) reaching from the outer point westwardly of the isle to the paccari (pakhadi or parish) called Polo (Palav—Apollo) will be of great use to the Honourable Company, in the good design which they have for the security and defence of this whole isle, it is hereby agreed that it shall be totally and wholly reserved for the use of the said Company they making such reasonable satisfaction to the person interested therein as hereafter is expressed.

(11) That whereas by the manifesto presented by the people the first payment of the 20,000 Xeraphins should begin the 9th of February next ensuing, it is agreed the first payment due on the 9th February shall be suspended to the 9th June following being the year 1673, which said sum shall be left in the hands of the people, by the Governor and Council, towards purchasing and buying out those persons who have estates and lands in the Colio, whom they are obliged to satisfy

in their respective demands, always provided that the people shall pay the quit-rent due the 9th February as was formerly accustomed.

(12) That in regard the Company have expressly ordered a survey to be taken of the whole isle, it is necessary that the lands and estates of each person be measured, the charges whereof shall be limited with a just moderation for the ease of the people.

(13) That there shall be reserved for the Honourable Company all grounds on the water-side within the compass of the isle to be disposed of in necessary occasions for the public excepting such grounds wherein there are at present planted gardens of cocoanut trees or rice grounds, as also churches, houses or warehouses of stone. And whensoever, for the public good it shall be necessary to make use of any of the said places or properties the Governor and Council shall make satisfaction to the interested in a reasonable manner. But the people are to take notice that in this they receive a particular favour from the Honourable Company, their Governor and Council, in regard that in all kingdoms of the world the ground on the water-side from the distance of 40 yards at least from high watermark belongs as a sovereign right and privilege to the Kings or Princes thereof.

(14) That seeing the principal aim and the intention of this happy agreement and composition is designed for the security, tranquillity, peace, and universal content of the respective inhabitants, the Governor and Council do in behalf of the Honourable Company establish and ratify this agreement, as perpetual and irrevocable between the Honourable Company and the people and for the further satisfaction of the inhabitants and the people, they do promise to prevail with the Honourable Company to establish and confirm the same by patent made under their hands and seals, and given under our hands and sealed with the Honourable Company's Seal in Bombay Castle, the 12th of November 1672."

This agreement however remained a dead letter and President Aungier in 1674 held a convocation and drew up an order that the agreement was confirmed by both parties, which though not signed and ratified by the East

India Company seems to have been regarded as valid and was acted upon.[1] It gave the inhabitants security in their possessions, Government reserving the right to take them for building "cities, towns or fortifications" on reasonable satisfaction to the proprietors.[2] It recognized all land then in occupation as private property subject to military service. This (the present 'Pension and Tax' land) was then pronounced to be held under a tenure of which the holders can be deprived only on payment of compensation. It is probable that at this date no leases had been executed and no rent paid. The occupants were tenants-at-will; the tenure was feudal. What land was actually in possession of the Company at the time is almost entirely conjectural, the map and survey record of 1674 never having been discovered.[3]

From 1674 onwards as population increased Crown 1674—17
lands were proportionately assigned for their accommodation. It is not known to what extent and on what terms such lands were leased out, nor is it clear what rent they paid. In 1674 the building of houses and warehouses was allowed on a lease for a period not exceeding 61 years at a moderate quit-rent payable half-yearly and buildings were ordered to be erected according to the regulations of Government.[4] In the following years, people were encouraged to stop breaches by giving them leases of reclaimed ground for a number of years at a small quit-rent with orders to reclaim the lands within seven years.[5] Marshy lands were drained and rendered fit for cultivation and given on leases. In 1679-80 the Court wrote to Surat to survey all Company's lands and to let them on leases for a term of years on a definite annual rental. In the same letter it was ordered that "all arable land on the island be surveyed, the produce of each to be calculated, that the value of the

[1] General Administration Report, 1901-02, page 47.

[2] Warden (1814), para. 33. Forrest's selections (Home Series), Vol. I., page xvi and xvii.

[3] General Administration Report, 1901-02, page 47.

[4] Court to Surat, 5th March 1674-75.

[5] Drowned and uncultivated lands were also let out at a small quit-rent for a term of years. See Bombay Gazetteer, Vol. XXVI, Part III, pp. 264-66.

quarter share due to the Company may be ascertained. These lands to be farmed out for a term of years to avoid the bother of collecting rent in kind yearly."

Another important event in connection with the land administration of Bombay was the seizure of the lands of the Jesuits who had assisted the Sidi while he was on the island of Bombay. After careful enquiry some of the forfeited lands were in 1694 restored to the proprietors on their paying one-fourth of the value of their estates (as a fine for desertion of the island and neglect to assist against the Sidi), after a period varying from four to eight months.[1] The war and plague had depopulated the island. After the war many estates were left tenantless. These were assigned to the Hindu soldiers, who were placed on half pay but had to remit half the produce of those lands to the Company. A considerable portion of crown lands had been alienated by the year 1707-8. The greater part of the Fort in that year was private property.

The result of the war with the Sidi was the creation of a new class of tenants who held land on leases. But times were so bad that there was great default in the payment of revenue,[2] and various expedients such as a boat tax in 1684 and a house tax[3] in 1688 were introduced for the purpose of keeping up the revenues of the island.

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[1] The Court wrote to Surat and Bombay on May 1st, 1693:—"Stick to all confiscated estates; but as to the meaner sort of Portuguese, use some consideration to restock the island again with working inhabitants, so that you may admit such to their own Residencys and Estates after condemnation, they paying for the future annually half the fruits of their oarts or grounds: at our first receiving that island of the Crown they ought to have paid us only the fourth part of their fruits and that fourth for bribes to the then English Deputy Governor was commuted into a money rent at a great undervaluation to the Company's loss ever since."

Bombay wrote to the Court on October 3rd, 1694:—"The value we set on oarts is 5 Xs. a tree which is the common valuation between a buyer and seller, they esteeming a tree to be worth ½ a X. a year which at ten years' purchase, the constant valuation of land here (by reason of money being at 12 per cent. interest) is 5 Xs. and all batty ground we have valued at 200 Xs. per mora, which is 20 Xs. per annum."

[2] In 1681-82 the Court wrote to Bombay—:"The Portuguese are revenue defaulters. The Court orders that if particular persons will not pay, a new general assessment is to be imposed on all Portuguese inhabitants."

[3] Warden, para. 48. Warden in para. 39 says: "Houses were ordered to be valued (1679-80) and a proportionate tax imposed on each."

Shortly after Charles Boone, the first President and Governor in Council, assumed office the Court of Directors ordered that the ground rent within the city should be improved by instituting quit-rents or by letting leases renewable on the payment of fines. "The consideration of our prodigious charge," they stated, "and the people's protection and liberty are very cogent arguments, if rightly managed, to convince every one that that ground ought to be valued higher than it otherwise would." In 1718 a quit-rent[1] was imposed to reimburse the company for the charges they were put to for fortifications. This tax may be said to have substituted a money charge for the liability to military service, and ended the feudal tenure. It was in the beginning imposed on every description of property within the Town walls, and was specially meant to meet "the great expense and charge they had been at in fortifying and securing" Bombay. Sales of Company's lands were forbidden about this date. Two years later (1720) the principal inhabitants complained of the quit-rent and asked to be relieved of it.[2] Several of the inhabitants to avoid paying the quit-rent built houses without the town walls. A proclamation was at once issued reducing the quit-rent to one-half and extending it to all houses within cannon shot of the town walls.[3] The revenues of the island about this time were small. All the ground along Back Bay was made over to five persons to plant with cocoanuts and the whole of Malabar Hill was let on a lease at a yearly rent of Rs. 100. There were also some noteworthy acquisitions in this period. Rama Kamati's property worth Rs. 40,000 was confiscated in 1720. 1718.

The land revenue collections in 1730-31 were:—Ground and quit-rent Rs. 4,085, Pension Rs. 7,670 and Batty ground Rs. 7,320.

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[1] This tax was imposed in pursuance of the orders conveyed in the Court's despatch of the 21st Feburary 1717 when they reminded Government of its promise to improve the ground rent. . . Warden, para. 73.

[2] See Bombay Gazetteer, Vol. XXVI, Part III, page 301.

[3] Government consultation of 30th September 1720. Then it was also decided to collect a cattle tax at the rate of 4 rupees per head per annum, and the killing of cattle in Bombay was forbidden.

The quit-rent was again modified in 1731 when certain abuses in the levy thereof were discovered. By a resolution of Council of the 3rd December 1731 the English inhabitants were directed "to pay the same quit-rent for their houses that they had hitherto been assessed in, but for such ground as they might have taken in since the building of their houses, or may hereafter take in they shall pay an additional quit-rent of 6 reas for each square yard but be free of ground rent, and all natives or black inhabitants to pay for the ground they occupy or should hereafter occupy a quit-rent of 6 reas and a ground rent of 5 reas for each square yard."[1] In 1732 a suggestion was made to abolish the quit and ground rent, but the Court declined and ordered the arrears to be recovered. The Collector's record shows that the rates of quit and ground rent were:—in the town 6 reas per square yard for Europeans and 11 reas for others, and outside the town 15, 30 and 45 reas.[2]

Since the conclusion of Aungier's convention the lands do not appear to have been allotted on any established system. There was not a single square yard of crown land up to 1731 leased on conditions clearly descriptive of the nature of tenure or of the intentions of the parties. In 1729 or about that time orders were issued that all persons who did not within six months produce an authentic lease should be dispossessed of their houses, and in 1731 and at intervals throughout succeeding years attempts were made to establish the crown ownership of the land then occupied, and to prevent irregularity in the collection of quit and ground rent. It was ordered "that all persons that have a mind to build apply to the Land Paymaster and signify to him in what part of the town and what sort of a house they design to build and on the Paymaster's being satisfied that the spot of the ground they have pitched upon is a proper situation for such a house, he is to grant them his license for building receiving as fees for the same two rupees and no more provided the said house is built with stone and mortar

[1] Warden, para. 176; and Bombay Gazetteer, Vol. XXVI, Part III, page 302.

[2] Bombay Gazetteer, Vol. XXVI, Part III.

and covered with tiles, and for such houses as are covered with cadjans one rupee; and upon any of the inhabitants applying to the Secretary for a lease or certificate to ascertain their title to the house to be built by license of the Paymaster, he is to grant them such a lease or certificate for the same on paying one rupee and no more." In 1733 attempts were made to introduce leases for years on the grounds that "little regard has been paid by the inhabitants within and without the walls to an order of the 3rd of December 1731." Further it was ordered that "a publication be made enforcing the said order under penalty of dispossessing all such persons as shall not produce an authentic lease signed by the Secretary in six months from the date of the said publication ascertaining their right to the said house or houses and the ground they are built on"; and it was on this occasion agreed that the Secretary in framing such leases should grant a term of forty-one years renewable on the party paying a fine of half year's rent of the said house or tenement according as the same shall be valued by the second in Council and the Collector of the revenues for the time being and the possessor.[1] But the introduction of this form of lease entirely failed, not a single lease being traceable, and all the leases or permits were granted in conformity to the Regulation of 1731. In 1739 Government, observing the irregular practice that obtained of planting trees and building houses within the distance prescribed for the safety of all regular fortifications, published the following order:—"That no houses be made or re-built, nor any trees planted within the distance of 400 yards from the Town walls, nor any houses erected within the said walls until the ground be surveyed by the Engineer for the time being, and by him to be recommended to the Land Paymaster for his approbation and leave." By this regulation no person could repair or build within the walls of the Fort without the permission of Government or their officers who would not grant permission upon Crown lands without authority, or without observing the rules prescribed in 1731 or in 1733. The

1 Warden, para. 76. Forrest, Vol. II. page 51.

land revenue collection about the close of this period was :—Ground and quit-rent Rs. 5,787, Pension Rs. 7,454 and Batty ground Rs. 10,085.

1740-60. Meanwhile attempts were being made to reclaim land from the sea, lands so recovered being assigned to individuals at a nominal rental on condition of their improving them. These lands were known as Salt Batty grounds. In order to ascertain and improve the revenue arising from the reclaimed ground and to encourage the people to till more of it, it was ordered in 1738 that the Vereadores and Mhataras should survey and report to the Board the produce dimensions and boundaries of each piece of ground and the name of the occupier.[1]

On a full enquiry being thus made a publication was issued in 1740 giving notice that Government was willing to receive proposals for farming unleased lands in parcels or as a whole. The lands were let at 4 reas a *burga*, and parcels were allotted to different Kunbis. The rent of salt batty ground was raised to 6 reas a *burga* in 1744 and was further increased to 9 reas in 1748. The Company's oarts commenced to be regularly farmed for terms of nine years from 1743.[2]

Regular leases were introduced in 1758 and measures were pursued to ascertain and preserve the rights of the public. The terms on which ground had been let to the inhabitants of Bombay for planting cocoa-nut trees in the few years before 1758 was :—For every vacant space proper for a plant the renter paid $53\frac{3}{4}$ reas for the first

[1] Bombay Gazetteer, Volume XXVI, Part III, page 319.

[2] In 1744 the appointment of Overseer was abolished and it was ordered that "From the Honourable Company's oarts being farmed out, the office of overseer does not require so much attention as when they were in the Company's hands. It may therefore be executed by the person who has charge of the revenues. This at present is Mr. Hugh Howard, one of the Members of Council whose allowance as Collector, notwithstanding the office is of great consequence, is no more than 23 rupees 3 quarters and 26 reas a month, although the overseer of the oarts had 50 rupees a month. As from the nature of it this office ought to be immediately under the Collector, the Board resolve to vest those offices in one person with a monthly appointment of sixty rupees. By this a yearly saving will result of Rs. 165 qrs. 3 and reas 12." (Bombay Gazetter Materials, Part III, page 343.)

ten years and for ever after 1 quarter and 7½ reas or about one quarter of the value of their produce. No regard was to be had whether the spaces were filled with trees or not. A space of 20 feet was allowed between each plant on the borders of a spot of a ground designed to form an oart for cocoa-nut trees and 23 feet and 4 inches between every plant within. The terms of letting out all salt batty grounds to cultivate at Bombay were :—The best ground paid 14 reas a *burga*, the second sort 9, and the third 6 reas.

On the 3rd of January 1758 with the view of re-imbursing the "prodigious expenses which the Company had incurred in increasing the fortifications and the works on the island for the security of the inhabitants in general," a tax of ten per cent. was ordered to be levied on the produce of all the landed estates belonging to the inhabitants of the island. We see, then, that by the year 1758 there had been introduced four kinds of tax, *viz* :—

(1) The "Pension" of 1672 amounting to ¼ of the net produce of the lands which were then in a state of cultivation.

(2) The "Quit-rent" of 1718 and 1720 at various rates ultimately equalized to 6 reas per square yard.

(3) The "Ground-rent" of 1731 of 5 reas per square yard.

(4) The "Tax" of 1758 of 2 shillings in the pound.

It appears that the first and the last were charged on what may be called "landed estates" or lands under cultivation (garden lands); the second and third on "building sites." The general upshot of these arrangements was a considerable improvement in the revenue of the island, as will be seen from the following table :—

		1750-51.	1760-61.
Ground and Quit-rent	Rs.	8,441	8,143
Pension	,,	7,692	8,024
Batty grounds	,,	5,166	2,726
Tax on landed estates	,,	......	7,681
Cocoanut oarts	,,	......	2,723
Total	Rs.	21,299	29,297

1760-1800.

The chief events in the land administration of Bombay between 1760 and 1800 were the survey proposals made in 1772, grants of land to noteworthy persons, valuable purchases of lands for public purposes and Government buildings,[1] the imposition of restrictions on the powers of the Revenue Judge in 1799, the settlement of complaints against the Vereadores and the vesting of the Mazagon estate in the Collector in 1758.[2] Of the grants made in this period the most important was that made to the Wadia family in 1783 on the recommendation of Sir Edward Hughes, K.B., Commander-in-Chief of His Majesty's Ships in India.[3]

1800-1840.

In 1803 a Town Committee was appointed to ascertain the right of possession or property in the tract laid waste by the fire in that year.[3] In forwarding the estimate they made a suggestion for surveying the island and rebuilding the town. The latter was strongly opposed by the people for fear that their old foundations would be intersected. The proposal however was sanctioned, and opposition was overcome by the grant of certain concessions. Subsequently a Committee of Building was appointed, but as it had not been properly recognised by any authority and established by any rule it was dissolved, and a Rule Ordinance and Regulation of the 11th of November 1812, registered in the Court of the Recorder on the 26th December following, was passed, vesting the control of all buildings and encroachments in the Court of Petty Sessions. Further difficulties arose and the Court of Petty Sessions appointed a Jury to estimate the amount to be paid for ground necessary for widening streets. The Survey of 1811-27 introduced order into the chaos which had prevailed since 1803. Finally in 1827 rules for assessment and collection of land revenue were passed, and these form the basis of the Bombay City Land

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[1] At the beginning of the 18th century certain purchases of private lands were made by the Company, but it appears that these lands were subsequently transferred to individuals.

[2] Bombay Gazetteer, Vol. XXVI, Part III, page 436.

[3] See below Account of Inam tenures.

[4] Bombay Gazetteer, Vol. XXVI, Part I, page 434, and Warden's Report on Landed Tenures of Bombay, dated 1814. (Printed in 1861.)

Revenue Act (No. II of 1876) as amended by Act III of 1900. For further details see the last section of this chapter.

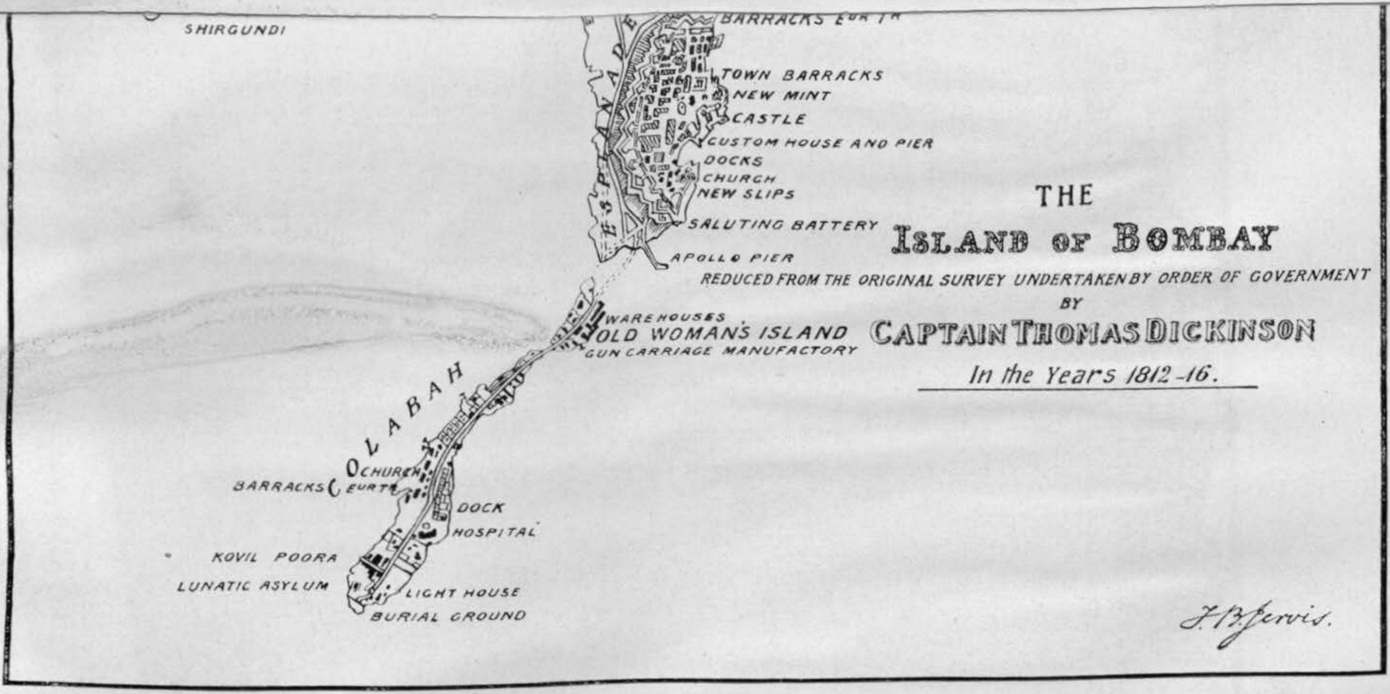
The first mention of a survey of the island is in 1670-71 when Mr. Herman Blake was appointed Engineer and Surveyor-General of Bombay. His surveys were directed to ascertain the rights of property as well as to the works. He had taken a great deal of pains about the map of Bombay and nearly three-quarters were finished. He fell ill and it appears that the work remained unfinished. In the survey, suggestions were made to remove Matharees, Povoos, Coolies beyond the point towards Mazagon to allow room for building keys and wharves. A town was lined out on "that parcel of ground which lyeth over and against the present Fort." Again in 1679-80 orders were received to survey all uncultivated ground and let it out on rent as also to drain the marshy ground and render it fit for agriculture. In a letter of 24th March 1710 the Court again proposed that the lands in Bombay should be surveyed and registered. In 1747 the Collector Mr. Byfield suggested the necessity of a survey in order to check encroachments which were being unauthorizedly made on the Company's ground and the Clerk of the works was appointed to bring about a general survey. There is however no record to show whether these surveys were undertaken; and if they were, they must have been of a fragmentary character.

Survey:

On 19th May 1772 again we find the following record of the Board:—"Estimating it very necessary that an accurate survey should be made of the whole island that the situation of the farmed out villages, namely, Malabar, Sion, Parel, Matunga, Dharavi, Nagaon, Vadala, Mahim, Bamnolly and of all the Hon'ble Company's oarts and grounds may be exactly laid down as well as those of all persons whatever. Resolved that a survey be accordingly made under the direction of the Collector of the revenues whom the Acting Engineer must furnish with the most skilful persons for doing it." Three months later Lieut. Turner of the Artillery and Mr. Whiteman, a cadet, were ordered to begin the survey of the island. The Collector estimated

the cost of the survey at Rs. 3,912 and the time it would take at 18 months. No mention of the further development of this survey is found and it is not until 1811 that records of any authentic survey are available. But there is no doubt that prior to 1811 there must have been a survey of some sort, for as appears from Capt. Dickinson's letter to Government, dated 7th August 1813, he had a map of the island of Bombay on a very small scale before him. What kind of map it was or to what survey it pertained is not known.

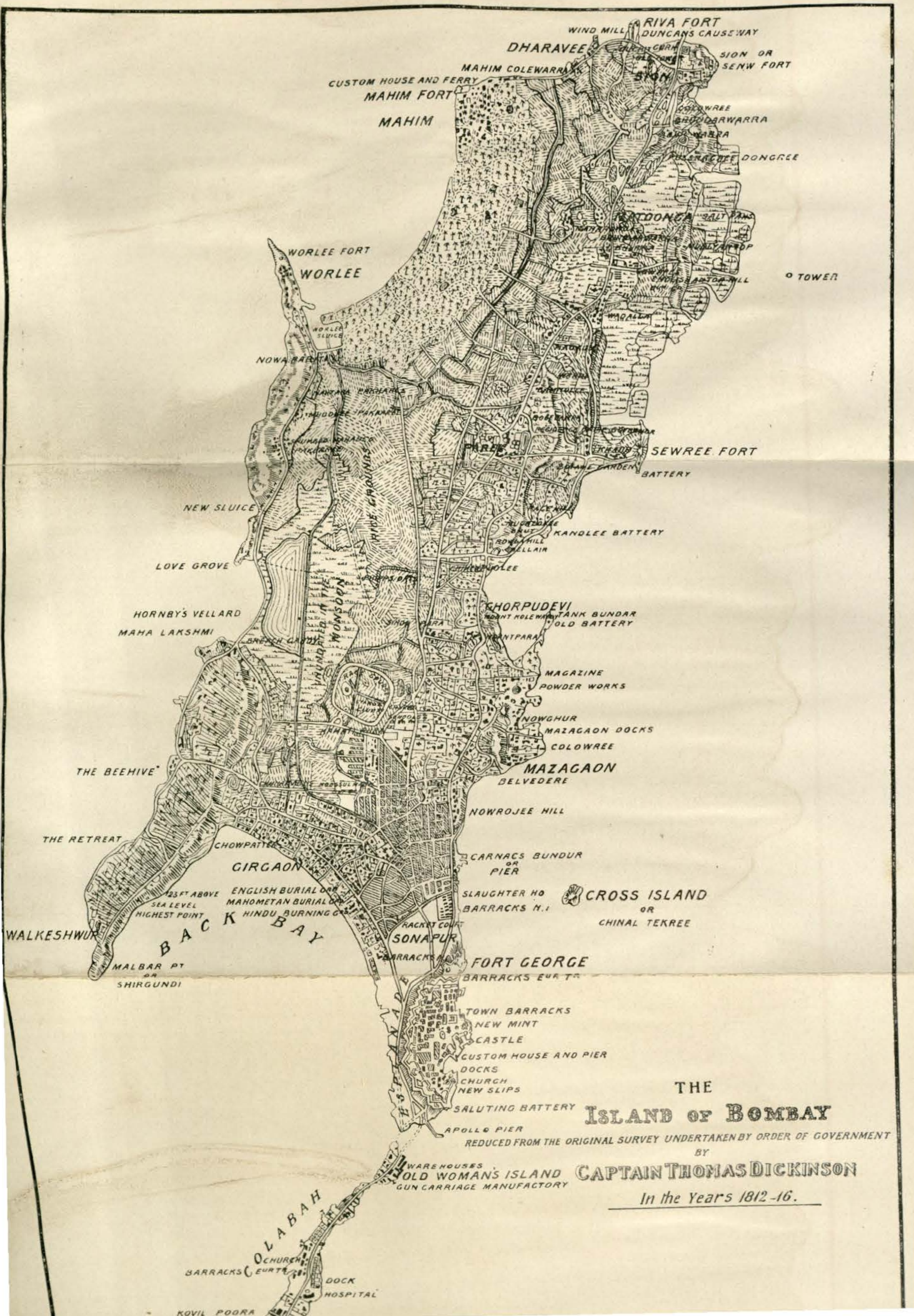
The Revenue Survey of 1811 was begun under Lieut. Hawkins of the Engineer Corps and he was directed to commence first the survey of all oarts in the Bombay division. This survey was chiefly for the purpose of ascertaining the number of cocoa-nut, brab, date and betel-nut trees in each oart and also the names of the proprietors of them, their qualities and the purposes to which their products were applied. However, before the end of that year it was found expedient to extend the survey operations to all parts of the island, with a view of defining not only the boundaries and the extent of the Honourable Company's property, but that of the inhabitants in general and for specifying the nature of the tenures of all lands in the island. This survey was continued under Capt. Dickinson of the Company's Engineers who was the Superintendent of Survey for many years. It was finally completed under Capt. Tate of the same Corps on the 1st of August 1827. Its total duration was thus 17½ years. The Fort, the New and Old Towns were surveyed in considerable detail and the work plotted on a scale of 40 feet to an inch. The remainder of the Bombay division including Colaba, Malabar hill, Cumballa hill and Mazagon were also surveyed in detail, the boundaries of the properties were carefully determined and the work was plotted on various scales but chiefly on that of 100 feet to one inch. The remainder of the island was only topographically surveyed and only the outlines of the different tenures were shown. This was plotted on a scale of 300 feet to the inch. No attempt seems to have been made to take levels or contours of the hills. These were only shaded with ink. The maps have been



SHIRGUNDI
BARRACKS EUR TR
ESPLANADE
TOWN BARRACKS
NEW MINT
CASTLE
CUSTOM HOUSE AND PIER
DOCKS
CHURCH
NEW SLIPS
SALUTING BATTERY
APOLLO PIER
WAREHOUSES
OLD WOMAN'S ISLAND
GUN CARRIAGE MANUFACTORY
COLABAH
CHURCH
BARRACKS EURTR
DOCK
HOSPITAL
KOVIL POORA
LUNATIC ASYLUM
LIGHT HOUSE
BURIAL GROUND
THE
ISLAND OF BOMBAY
REDUCED FROM THE ORIGINAL SURVEY UNDERTAKEN BY ORDER OF GOVERNMENT
BY
CAPTAIN THOMAS DICKINSON
In the Years 1812-16.
T. B. Jervis.

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RIVA FORT
WIND MILL
DUNCANS CAUSEWAY
DHARAVEE
SION OR
SENW FORT
MAHIM COLEWARRA
CUSTOM HOUSE AND FERRY
MAHIM FORT
MAHIM
DONGREE
WORLEE FORT
WORLEE
O TOWER
NOWA BARA
SEWREE FORT
BATTERY
NEW SLUICE
KANDLEE BATTERY
LOVE GROVE
GHORPUDEVI
TANK BUNDAR
OLD BATTERY
HORNBY'S VELLARD
MAHA LAKSHMI
MAGAZINE
POWDER WORKS
NOWGHUR
MAZAGAON DOCKS
COLOWREE
MAZAGAON
BELVEDERE
THE BEEHIVE
NOWROJEE HILL
THE RETREAT
CHOWPATTEE
CARNACS BUNDUR
OR
PIER
CIRGAON
23 FT ABOVE
SEA LEVEL
HIGHEST POINT
ENGLISH BURIAL GR
MAHOMETAN BURIAL GR
HINDU BURNING GR
SLAUGHTER HO
BARRACKS N.I
CROSS ISLAND
OR
CHINAL TEKREE
WALKESHWUR
BACK BAY
SONAPUR
MALBAR PT
OR
SHIRGUNDI
FORT GEORGE
BARRACKS EUR TS
TOWN BARRACKS
NEW MINT
CASTLE
CUSTOM HOUSE AND PIER
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SITE OF P.W.D. SECRETARIAT AND GENERAL POST OFFICE IN 1864.

very neatly drawn up and show considerable detail. The cost of this survey, as far as can be ascertained, was Rs. 1,63,000. Registers of private property of such parts of the island as were surveyed were made in detail. They are all extant as are also most of the maps and plans. The operations of this Revenue Survey brought to light numerous encroachments and instances of the enjoyment of lands by individuals without payment of rent.

In 1844 a system was introduced with the sanction of Government of surveying every holding, transferred from one person to another or of which a deed of sale was presented in the Collector's office for registration. All questions of encroachment were adjusted and the property itself was specially defined before the transfer was recorded in the Rent-Roll. This method proved somewhat desultory, the existing survey records being hardly sufficient for the purpose of indentifying the holdings. To provide a remedy a revisional survey of the island was proposed by Mr. Rose, Officiating Collector, in a letter to Government of the 31st March 1852, in which he remarked:—"In reference to the state of the plans and registers I may set out by observing that Government does not appear to have charged itself with the maintenance of the rights of individual landholders and it is not in any way called upon to undertake that office. A minute and detailed survey would show the boundaries of subdivisions of holdings and thus enable the Collector to demand the exact amount due on each subdivision. The present surveys do not furnish these details and in the confusion of subdivisions one holder may be made to pay more while another pays less than he ought to pay. The existing plans and survey records are used for the gradual recovery of rent of land occupied in excess of authorized holdings but the accuracy of the results so obtained is not to be relied upon. A new or revised survey would enable Government at once to bring under assessment lands held without payment of revenue and discover all encroachments existing at the time of its introduction." A general survey as proposed by Mr. Rose was not sanctioned by Government; but a survey of the Mahim

division was begun by the Survey department of the Collector's establishment in 1857. It was continued up-to 1859 only, when it was discontinued owing to a reduction of the survey establishment. This survey shows the boundary of each property. Such of the work as had been completed was plotted on 9 sheets on a scale of 100 feet to 1 inch. This survey though it was of considerable use could not be incorporated in the Revenue Survey, as the traverse points had never been accurately laid down in connection with the trignometrical stations of the Great Trignometrical Survey.

The next revenue survey of the island, on which is based the present land revenue system of Bombay, was commenced in the year 1864-65. In Resolution No. 3516, dated 7th September 1859, Government asked the Collector to consider the advisability of raising rents on Government lands generally throughout the island and called for a report on the subject. Mr. Showell, the Collector, took the opportunity of discussing the landed rights of Government at great length. The following are extracts from his report, No. 109 of 24th February 1860 :—

"It is evident from the best authorities that from the earliest period of the history of the island subsequent to its transfer to the Crown of England, a period now of about two hundred years, the relative position of the Government and the people as regards their respective claims on the soil has been the subject of almost constant dispute, arguing that there has never, during the above long period, been any attempt made to place this all-important question on a satisfactory and permanent-footing.

While however the Government on its part took but little care systematically to define the mutual rights of themselves and their subjects, the latter failed not to take advantage of the circumstances of the times to maintain what they assumed to be their rights and also with little or no scruple to encroach on those of the Honourable Company.

That the people did so with a considerable degree of impunity is abundantly shewn by the reports of the

various officers who were at a later period (say in the present century) entrusted with surveys and other duties affording them means of judging of the matter. These reports abound with exposures of the discoveries made and much serious consideration was given to them on the part of Government, but notwithstanding all this matters seem to have been allowed to go on very much as they did before.

A general revision and allotment of assessment on the Government lands on the island is manifestly called for. I do not think this can be accomplished as it should be without a thorough and systematic investigation of the subject as a whole. Any other scheme would, I have no doubt, be incomplete for the inauguration of a permanent settlement of the disorder that has so long prevailed here.

Under all the circumstances above set forth and a due consideration of former recommendations I am decidedly of opinion that as a primary measure to any such undertaking a carefully executed revenue survey of the whole island accompanied by a settlement of boundaries and rights of holdings is indispensable.

What is essentially necessary for the purpose of this department in particular, and for those of the landholders in general, is the detailed survey of the individual holdings; and for this end the titles of the parties claiming to hold them would necessarily have to be examined and tested not with the view generally of resuming land for which there was no title but of ascertaining whether it was assessed to the Government revenue or not."

Mr. Showell urged the necessity of an immediate survey. Capt. Francis, Superintendent of the Thana Revenue Survey, to whom the subject was referred, urged in his report of 22nd January 1861 the necessity of commencing operations as soon as possible and estimated the cost of the survey of the Mahim Division at Re. 1 per acre. The subject was again taken up by Mr. D'Oyly who succeeded Mr. Showell, and as a result in July 1864, Captain Waddington was deputed by Government to proceed to Bombay for the purpose of examining

all existing maps of the island and also to inquire into the tenures and finally to suggest a plan of operations necessary for the survey of the island. Capt. Waddington made his report in the succeeding August. He therein discussed the *modus operandi* as well as the nature of the principal existing tenures and urged that no time should be lost in obtaining the sanction of the Government of India. In October of the same year the sanction of the Government of India was applied for and actual operations commenced in the month of November.

The plan of operation agreed upon was that Captain Nasmyth, R.E., in charge of a party of the Great Trigonometrical Survey of India, should in the first instance be employed in triangulating the island and fixing by traverse a series of points as a basis for detailed chain measurements which were to be made by a Revenue Survey party under the orders of Colonel Francis. The scales sanctioned for these maps were 25 inches to the mile for the fields and open ground, and 10 feet for the mile for the Fort and native town. These were afterwards altered to the more easily applied scales of 100 feet to one inch for the fields and open country and 40 feet to one inch for the Fort and native town. It was anticipated that the cost of the combined survey would be about Rs. 3,00,000.

In November 1865 both parties commenced operations. Captain Nasmyth began the work of triangulation, while the Revenue Survey party, of which Major Laughton was appointed the Superintendent, began the detailed work of surveying each separate property. Before the close of the season, Captain Nasmyth departed for England, his place being taken by Captain Haig. It was however found that the results of the two separate traverses were identical. It was therefore considered advisable to disband the party under Captain Haig and the whole work was entrusted to Major Laughton from November 1866. The actual survey work was completed by the end of April 1871, having lasted 5½ years since its commencement in November 1865. The whole of the establishment, with the exception of such as were employed upon the registration of properties, was moved to Poona for the purpose of completing the maps. Major Laughton's work was

brought to a final close on the 23rd of November 1872, that is to say 7 years from the commencement.

The whole of the levelling and contouring was completed by the Revenue Survey party. Levels were taken at every 300 feet along the principal roads and the height has been shown on the large scale maps. The levels are referable to the Town Hall datum of 100. With the exception of a small portion of the island on the eastern side, where the salt pans are situated, the outlines of the high water mark at spring tides and the high water mark at ordinary or neap tides have been carefully laid down all around the island and are shown on the large maps. Cast iron boundary marks, made at the Government Dockyard, were fixed at the corners of properties. Of these there are three kinds:—

	Height.	Weight.	Price charged. Rs. a. p.
(1)	30 inches	30 lbs.	3 0 0
(2)	18 ,,	18 ,,	1 8 0
(3)	15 ,,	9 ,,	0 12 0

Nos. 1 and 2 were used when the property was adjacent to a made road, the first being fixed at the corner and two of the second about 12 feet from the first to mark the outlines of the property. When the property was at a distance from a road Nos. 2 and 3 were used for the same purpose. The total number of boundary marks fixed was 22,165. Fifty bench marks of large cut stones were permanently fixed, the figures of levels being marked on the stones. All the hills in the island were carefully and accurately contoured, some of them to every five feet, but most of them to every ten feet. These contours were shown upon the 400 scale maps.

Two sets of maps were prepared, one uniform in size (3 feet × 2 feet) called "Square Sheets," and the other of varying dimensions called "Traverse Sheets."[1] The former are 221 in number, of which 205 were reproduced and printed. The remaining 16 which contained only fish ponds were not reproduced. One hundred and eighteen sheets containing the survey of the crowded

[1] The maps were pronounced by professional and other local executive authorities to be most accurate and complete in all details.

parts of Bombay were drawn on a scale of 40 feet to one inch and eighty-seven which represent the outlying or less thickly-populated parts were drawn on a scale of 100 feet to one inch. The Traverse Sheets are 203 in number. On these sheets the station points and the chain lines are indicated, thus rendering them useful for tracing individual survey numbers in the field books. These sheets have not been printed. They are drawn on scales of 40, 50, 80 and 100 feet to an inch according to circumstances. Besides these maps, registers of properties have been prepared, 17 for the Bombay and 22 for the Mahim division.

The cost to Government of this survey was about 3·1 as given below. The Municipality contributed a grant of Rs. 50,000:—

	Rs.	a.	p.
Actual Survey from 1st October 1865 to 30th April 1871	2,37,357	12	11
Completing the plotting of fair sheets from 1st May 1871 to 1st May 1872 ...	42,044	7	7
Reduced map from 1st May 1872 to 23rd November 1872	22,118	1	5
Cost of Boundary Marks, less recovered	11,541	13	11
	3,13,062	3	10

The area of the island found by Col. Laughton was 22 sq. miles, 105 acres, 4,149 sq. yards.[1] The following table shows the area of land comprised under each tenure:—

	Sq. yds.
Pension and Tax	12,349,175
Quit and ground rent	4,419,602
Government resumed land ...	294,353
Government Toka land and Foras Toka	7,207,524
Old salt batty ground ... New salt batty ground ...	16,497,986
Other Government ground ...	13,416,281

[1] This according to Col. Laughton is the most accurate estimate.

	Sq. yds.
Inam	4,229,060
Sundry items, such as roads, tanks, waste lands, reclamations, etc.	10,456,276
Total ...	68,870,257

The following is the account of the several tenures existing in Bombay:— Ten

No rates of assessment are fixed for lands held under the Pension and Tax tenure, nor were then the measurements of lands held under this tenure recorded prior to Col. Laughton's survey. The rents are "lump sums," bearing no uniform proportion to the quantity or value of the land for which the rent is paid, and in many cases give rates as low as a fraction of a pie per square yard.[1] Pens Tax.

The term 'Pension' takes its origin from the Portugese word *Pencao* which means, when applied to estates, a payment for the enjoyment of land, the bonus or the premium paid for the fee-simple on the compromise of a doubtful tenure. The tenor of the article of Aungier's convention proves that it was not a quit-rent. It is only a royalty rent acknowledging the Government as Lords paramount. The payment of the "pension" dates from Aungier's Agreement of 1672, which commuted in consideration of the payment every year of 20,000 Xeraphins (Rs. 13,850) whatever rights the Company possessed over the estates which were in a state of cultivation and which were in consequence acknowledged by that instrument to be freehold property, under a reservation, however, of a claim to the military services of the inhabitants.

The sum of 20,000 Xeraphins was determined from an account, taken at the time, of the true value of the annual produce of all the lands, which was reckoned to be about 80,000 Xeraphins, of which it was agreed that one-fourth

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[1] An explanation of the lowness of the pension rates is to be found in the fact that it was originally levied on garden or rice land. The irregularity in the scale is due to the tax having been levied at so much per wheel used for irrigation.

should be annually paid to the Company. The amount was distributed as follows:—

Pension in the district of Mahim....	Xer.	10,160-1-37
Pension within the Bombay District	,,	9,839-1-43
	Total...	20,000-0-0

The "Tax" of 10 per cent. on the produce of the landed estates was introduced from the year 1758 to meet "the prodigious expenses" and to build fortification and other works for the security of the inhabitants. A notification was issued requiring all the Fazindars in Bombay and Mahim to render the Collector an account of the annual produce of their land in order to enable him to levy the tax laid on them. The Fazindars objected to the proposal but were told that if they did not show due obedience thereunto, the Government would be obliged to put their own valuation on the lands.

A few months afterwards the accounts (showing the amounts to be Rs. 58,263-1-40) were received, but as on inquiry the estates therein mentioned appeared to the Collector to be considerably undervalued, he directed the Vereadores and some of the private Fazindars to inspect and consider these accounts carefully and to deliver their opinions thereon. This they accordingly did on the 19th and 22nd January 1759. A report was made to Government by the Collector stating that the estates according to the Vereadores' account, were estimated at Rs. 77,000, and he recommended that the tax should be levied on that estimate.

On the Collector's letter the Board passed orders in February 1759 that the tax of 10 per cent. be collected on the Vereadores' estimate and that such persons as had not delivered their accounts be required to do so by a certain time on penalty of a fine in case of noncompliance. This additional tax of 10 per cent. was approved by the Court in their letter, dated 25th April 1759, in which they wrote "It is extremely pleasing to us that you have shown such true attention to our interest in laying additional duties and taxes on the inhabitants, thereby relieving us in some degree of the burden we cheerfully bear to put the island in a state of security.

We applaud your conduct, and we have pointed out this commendable example to our Presidency at Calcutta, who have never once considered the equitable right we have to such assistance."

In 1774, the inhabitants prayed that this 'Tax' might be relinquished. It was imposed, they said, in 1758 by the then Governor, the Hon. Richard Bourchier, who signified to them the urgent necessity for raising money for maintaining the war with the French, and had further promised to relieve them of the same when the said war should be over. On this it was resolved to refer the petition to the decision of the Court. In reply, the Court in a letter, dated 12th April 1775, wrote :—"As our fortifications are far from being completed, we cannot consent to relinquish the tax laid upon landed estates in 1758, which was designed as an aid to the Company in the erecting of those fortifications." In July 1775, the Board again received a petition from the Fazindars or land-holders of Bombay and Mahim, requesting that the tax which they were unable to bear be abolished. As the orders of the Court on their last petition were expected, the consideration of this petition was deferred and the Court's orders subsequently received were communicated to them. No further attempt appears to have been made by the inhabitants to get the tax abolished, and it has remained until the present day.

Some lands under this tenure pay only Pension ; some only tax. It is difficult at this distance of time to assign a reason for such a distinction. Every square yard of ground in the occupation of individuals in 1672 should have been charged 'pension.' Possibly an exception was made in the case of lands whose profits were applied to charitable purposes, and those lands which were charitable in 1672 and ceased to be so in 1758 were only "taxed" in that year. Some exemptions may also be due to omissions on the part of the Collector. Those which continued to be charitable have been and are to-day exempt either from Pension or Tax. The free-hold nature of lands held under the Pension and Tax tenure and their non-liability to enhanced assessment has always been recognized by Government. So long ago as 1727

the Board recorded that "As this article was in pursuance of an engagement made with the inhabitants when the island came into the possession of the English, and as it has so long been punctually observed, they ought not to infringe the same by an alteration." On the question of a general increase of rent on lands in Bombay,[1] the "Rent Committee" of 1837 declared their opinion that "Nothing short of great emergency would justify any deviation from the existing rates which had been sanctioned by such long prescription." The recognition of the proprietary right of the people over lands of this description is further seen in the concession given to them by Government in 1873 redeeming the cess on Pension and Tax at a certain number of years' purchase. The proposal for redemption was first made by the Collector, Mr. Ravenscroft, in the year 1873, when he represented that the lands realized only Rs. 16,046 annually (Rs. 8,412 being for Pension and Rs. 7,634 for Tax), for which 4,193 separate bills had to be prepared, some of the bills being under one anna, and in a few instances under a pie. Mr. Ravenscroft proposed 20 as the number of year's purchase for such a redemption, and he was supported by the Local Government. The Government of India, however, in their letter of 6th October 1873 fixed it at 25 years, which was raised to 30 years in 1898 by a resolution of the Government of India, dated 24th August 1898.

Land held under this tenure is found in the Fort, Girgaum, Malabar Hill, Colaba, and in the Mahim Woods. Its area at the date of Colonel Laughton's Survey was 2,551 acres and 2,335 sq. yards.

Fazindari.

Closely associated with the Pension and Tax tenure is a kind of sub-tenure known as "Fazindari." It is a sub-tenure between a private proprietor and his tenant. It is not known how and when it originated, but it is unquestionably of long standing. The owner of the land under Government is known as the Fazindar. Land

[1] Col. Laughton in 1872 recommended an increase in the rates, as they were very inadequate. The ground may have been used for cultivation at one time when the rent was reasonable enough, but now that the native town is built on a large portion of it, the rates are in many instances inadequate indeed.

under this tenure was let for building purposes, without in most cases any formal agreement, and subject to a low annual ground rent. The earliest record of this tenure found in the Collector's Office is a report by the Vereadores of the 14th December 1782. It runs as follows :—

The rule and custom practised at the island are : (*a*) That the owners of the oarts cannot break or remove any house in their oart unless the owner of the house has given just cause to or any ways causing damage to the oart or its owner. (*b*) That no owners or possessors of the houses can sell their houses to any strange purchaser without a special permission of the oart's owner, and should he, the owner, choose to buy the house, he is to have preference at a moderate rate according to the time and value or at an intrinsic valuation at the time. (*c*) That no persons living in another person's oart can on any account let out their houses to any improper or indecent people any ways detrimental or scandalous to the owner of the oart or the neighbourhood and on their, the owners of the house, acting so, the owner of the oart may thereby order the house to be removed, but the house must not exceed the value of Rs. 500. (*d*) That no persons in another person's oart can take any further ground for their houses' use or open any new passages without the owner's permission previously obtained, nor can they pretend, should there be bamboo or mud-walled houses, to make them of chunam and stone or to re-build them with timbers without the owner's permission. (*e*) When any person builds a house in another person's oart, they make no other agreement with the owner, but that of paying annually the usual ground rent thereof or as they may have settled betwixt them, and to live quiet and peaceably without giving the least trouble, detriment or any scandal to the owner of the oart or neighbourhood or causing any .... trouble or damage to the owner.

But long prescription appears to have changed the nature of this tenure altogether. But it was a popular idea with some of the old native proprietors that the Fazindar, although he could on no account evict his

tenant while his building was standing, had a reversionary right to his land as soon as it was either pulled down or destroyed by fire or other natural causes, the Fazindar of to-day has no interest in the land beyond the annual rent, and this has been recognized in numerous compensation cases under the Land Acquisition Act, in which the invariable practice has been to award the Fazindar no more than the capitalized value of the rent.

Quit and Ground Rent.

Quit-rent originally implied freedom from liability to military service. From the date of Aungier's Convention to the year 1718, many strangers were invited to settle on the island. Up to 1718 the new tenants-at-will were probably under an implied engagement to afford military service whenever required.

In a letter, dated 21st February 1717, the Court observed :—"Remember your promise to improve the ground rents within the City walls by the method therein specified of letting leases renewable or by fines or quit-rents or whatever way you should judge most for our interest. The consideration of our prodigious charge and the peoples' protection and liberties are, if rightly managed, very cogent arguments to convince every one why that ground ought to be valued higher than it otherwise would be." In pursuance of these orders a tax was imposed on all the inhabitants residing within the town walls in order "to reimburse the Right Honorable Company some part of the great expense and charge they had been in fortifying and securing the said town." The imposition of this tax changed the ancient constitution of the island by commuting military services[1] for a quit-rent.

In 1720 a petition was presented to the Board by the principal inhabitants, setting forth that the quit-rent was a heavy tax on them and desiring to be relieved from the same. On the 30th September 1720 the quit-rent was by a resolution of the Council reduced to one-half, and as it was found that several of the inhabitants, to avoid paying the quit-rent, had built without the town wall, it was ordered

[1] But if Aungier's convention reserved personal service of the tenants in every part of the island, it is not apparent how the introduction of the quit-rent on lands in the Fort alone redeemed it. Possibly the levy of this rent in the Fort was sufficient to raise a militia in times of war.

that all houses within cannon-shot of the town wall should pay the same quit-rent as those built within, as this would in some measure make amends for the reduction of half the quit-rent to the inhabitants within the town wall. A proclamation to this effect was issued on the 3rd October 1720. The exact principle on which this tax or quit-rent was based is not known. But from the lump payments still made on some of the lands in the Fort, it appears that the quit-rent must have been based on either the net produce or the valuation of the properties so taxed and not on the area or measurements thereof. The lands without the town wall however paid at three different rates of 15, 30 and 45 reas per single yard[1] (not square yard).

In 1731 an attempt was made to equalize this quit-rent, and it was resolved that the English inhabitants should pay the same quit-rent for their houses that they had hitherto been assessed in, but for such ground as they might have taken in since building their houses or might thereafter take in, they should pay an additional quit-rent of 6 reas for each square yard, but set free of ground rent, and all natives or black inhabitants should pay for the ground in their occupation a quit-rent of 6 reas and a ground rent of 5 reas for each square yard. This resolution appears to have been made with reference to the lands within the town walls only[2]; but we see in the rent rolls in the Collector's Office the same diversity of rates (*viz.*, 15, 30 and 45 reas per single yard) in the

[1] It is not known what this 'single yard' measure was. Even Dickinson in 1813 makes this remark: "At this distance of time it is not possible satisfactorily to discover by information or otherwise the quantity comprised in the indefinite measure termed 'single yard'; for by proceeding on a similar principle no two measurements in the old rent roll can even in a remote degree be reconciled."

[2] The distinction drawn by Government in their order of 3rd December 1731 between the rent to be paid by the English and that to be paid by the natives will account for some lands (in the Fort) paying 6 and others 11 reas per square yard; others which were garden lands in 1672 and were converted into building sites by the year 1718 paid an additional quit-rent or quit and ground rent and were further subjected to the tax of 1757 Some properties in the Fort supposed to pay by the lump under quit and ground rent tenure are really either of quit-rent tenure paying the original quit rent before it was equalized in 1731 or of quit-rent or quit and ground rent amalgamated with pension and consolidated.

case of the lands without the town walls; and these varying rates were gradually changed till in 1792 we find all the lands under this tenure paying a uniform rent of 30 reas per single yard. This was again changed without any apparent reason to 11 reas per square yard in 1804-05.

In 1732 the Bombay Government suggested to the Court that all the quit-rents should be remitted, and indeed they were discontinued until 1734, when the Court of Directors replied that they could not agree to take off or abate any of the taxes whatsoever. On receipt of these orders the Bombay Government directed the Collector to recover the arrears from the people since the date the rents had been discontinued. In December of the same year the people petitioned against the renewal of the recovery of rents, and as an equivalent offered to pay to the Honourable Company, towards the building of the town wall, such a sum of money as might be judged sufficient to clear the amount of the quit and ground rent. As the Court had positively ordered that the arrears should be collected and the tax should be continued, the Government could do no more than represent the petitioners' case to the Home authorities, apparently without success.

After the fire of 1803 the Company's Counsel was consulted as to the measures which should be adopted for ascertaining in future the Company's right to the property and "whether it may not be proper and desirable to have a full and accurate plan of the whole island distinguishing the Company's property from others in order that they may be at liberty to raise the rates of such property possessed by the tenants-at-will or others, where the present state and value of the land will bear it." Mr. Thriepland, the Advocate-General, was of opinion that the Company had no lands in a state of cultivation or improvement in 1674, but that whatever property was at that time waste and unoccupied belonged of right to the Company; that in process of time, as population and wealth increased, this waste property was occupied by individuals. Lands so occupied and possessed whether fenced with walls or covered with buildings could never, in Mr. Thriepland's opinion, by any length of time,

become the property of the tenants. Mr. Thriepland was however of opinion that the Company was bound to make good any outlay for improvement of the ground made by the holders and suggested a general survey of the island for the purpose of increasing the revenues derived from it.

The plan for re-building the town was determined upon; but the most wealthy of the natives formed a combination to resist by legal means any mode of lining out the new streets which should tend to intersect the old foundations or to prevent their re-building on them. A further opinion of the Advocate-General was invited. Mr. Thriepland still held that the ground occupied by those who paid assessment (*viz.* quit-rent or quit and ground rent) was at the disposal of the Government and that no opposition from the proprietors of this description of land need be regarded, further than that they had an undoubted right to be indemnified for any outlay they might have made either of permanent utility to the soil or from which their successors therein could derive advantage. The Town Committee expressed a decided opinion that the plan should be adhered to and pursued with firmness, vigour and expedition, but subsequently moderated their views and in consideration of the losses by fire sustained by the people suggested that the assessed proprietors should be given full compensation for their lands except for the portions required for widening the streets. Notwithstanding the decided opinion of Mr. Thriepland in favour of the right of Government to resume possession of the assessed lands the efforts of the Town Committee to carry their plans into effect entirely failed. The natives ultimately succeeded in their opposition and in their desire to rebuild on the old foundation; all that the Committee was able to do was to take a portion of their ground for widening the streets which portion the inhabitants readily conceded.

Another kind of tenure, also styled quit and ground rent, but distinct in its nature, originated with the New Town. While the inhabitants in the Fort and the old Town were offering every kind of opposition to the improvement of the portion destroyed by the late fire, matters were tak-

ing a different turn in another part of the island. On the 30th September of the same year (1803) Government directed that the Engineer's limit should be cleared to the extent of 800 yards from the Fort and issued an order to this effect to the Commanding Officer of the Forces. A general proclamation was also issued on the 13th January 1804 ordering the clearance. On the 25th idem the Town Committee wrote to the Collector informing him of the probability of finding accommodation for the different classes of people to be removed from within 800 yards of the Fort in that part of the ground which was situated on the western side of the commencement of the Parel road from Paidhoni bridge extending northwards to the batty fields and also another spot to the eastward of the Parel road opposite to the former and asked the Collector to furnish them with information as to what portion of the ground thus described was the property of the Company. The Collector replied that the whole of the ground in question with the exception of a few plots of freehold land belonged to the Company. The matter was reported by the Town Committee to Government who on the 3rd February 1804 issued orders to the Collector to resume possession of the land and deliver it to the Committee for making proper allotments. In a later communication of 10th February the Collector was instructed to have the allotments of ground to the new settlers, when completed, registered in his office and to charge for them "at the rate of 11 reas per square yard." On the 17th February the Collector reported that he had resumed and delivered over the land to the Town Committee. The allotments made by the Town Committee formed what was known as the New Town. It was not however till the end of May 1805 that the requisite register of allotments was prepared. The record so prepared forms the first volume of the rent rolls of the New Town or resumed lands. The lands so resumed formed part of those which had been recovered from the sea and had become known as Salt Batty Grounds.[1]

The lands in the New Town appear to have been allotted on the same terms as those given out in the

[1] See account of Foras lands, page 358.

Old Town, *viz.*, on the payment of rent at the rate of 11 reas per square yard without any leases for any definite period of time; and although the Collector kept separate registers or rent rolls for lands in the Old Town and for those in the New Town and under different headings, the one under Quit and Ground rent and the other under Resumed lands or lands assessed at 11 reas the square yard, they were looked upon as being identical in character until in 1878-79 the lands in the New Town were amalgamated with those in the Old Town and have since then been officially recognised as falling under Quit and Ground rent tenure.

In 1813 Captain Dickinson having completed his survey of the Fort submitted his reports, dated 9th October and 3rd December 1813, in which he classified the different tenures under which the lands in the Fort were held, and suggested that although the Company had an indisputable right to resume possession of the quit-rent and quit and ground rent lands a compromise should be entered into with the proprietors, by which leases should be granted to them for 42 and 63 years on the condition of their paying an increased rent equal to 20 and 36 reas per square yard; the effect of which, as Dickinson stated, would be that two-thirds of this very valuable city would at no very remote period revert to the Company. He even proposed an impost of 8 reas per square yard on all Fazindars' or Pension and Tax lands. Mr. Warden, Chief Secretary to Government, was directed to make observations on Dickinson's reports above referred to and generally on the land-tenures in Bombay. Mr. Warden in his report of the 20th August 1814 thoroughly reviewed the subject and differed in opinion from Dickinson as to the right of the Company to resume possession of any portion of the ground within the walls of the Fort excepting such as might be held on special leases, contending that the ground, admitting it to have been originally Crown land, had by the custom of the manor changed its original character and become the permanent property of the landholders; but that the Government having exercised in various instances the

right to increase and modify the rents they might again have recourse to the same measure.[1]

In 1818 the Collector (Mr. DeVitre) and the Revenue Surveyor (Captain Dickinson) brought to notice the rights of Government. "The actual resumption," they wrote, "on several occasions of extensive portions of this island held under the same tenure are so many practical examples of the doctrine and opinions in favour of the proprietory right of Government over the 11 reas ground." In a letter addressed to the Secretary to Government, in May 1822, the Advocate-General Mr. Wodehouse classified these lands as follows, "(1) lands which have been possessed by private occupiers from a time long anterior to the time of enrolment in the Collector's books, the original transfer of which by the Company to the individuals cannot be traced; and (2) lands held by individuals, the original grant to whom by the Company can be distinctly traced." Mr. Wodehouse considered lands of the first class as inheritable property and those of the second as lands let to hire, and of course resumable at the pleasure of the Company. The Committee of 1837 thought that the Government had the power of altering the rent on these lands. Mr. Showell writing in 1860 proposed a building rate of 6 pies (12½ reas) per square yard and remarked that "if a rent of 11 reas was deemed reasonable in Mr. Warden's time it may be deemed equally so now when landed property has so greatly enhanced in value." In 1872 Colonel Laughton suggested that the rate of 6 pies per square yard should be applied to all lands covered with buildings, no matter under what tenure the land might be held.

The power of Government to raise the rents on these lands seems always to have been a vexed question. Although as advised by Mr. Warden, Government never made any declaration vesting these lands in perpetuity in the possessors, they have never attempted either to resume these lands or to raise the assessment thereon, notwithstanding the suggestions to the contrary made by

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[1] For full details see Report on the Landed Tenures of Bombay, by F. Warden, dated 20th August 1814 (Selection from Government Records, LXIV, 1861).

Government officials from time to time. There has been no judicial decision as to whether there is a specific limit to the enhancement of assessment on these lands. The rates are 6 to 11 reas per square yard in the fort and 11 reas in the town. Very recently Government have recognised the equitable rights of the holders in case of lands held under this tenure. They have placed these lands on the same footing as Pension and Tax lands by extending to them the right of redemption on payment of 30 times the amount of the rent of the holdings pay less than Rs. 10.

Quit and Ground Rent land is situated in the Fort, Old Town, New Town and in Colaba, the portions benefited by the fortifications for which the tax was mainly raised. The area covered by this tenure, according to Col. Laughton, is 973 acres and 682 square yards.

The word "toka" means a share of the produce, and the assessment on "toka" lands was formerly paid in kind.[1] Toka lands were also described as "Sweet Batty" grounds and comprised "the greater part of the Company's original nine villages, *viz.* :—(1) Parel; (2) Bomnolly Coltem; (3) Nagao; (4) Wadalla; (5) Matoonga: (6) Sion; (7) Dharavy; (8) Cassabay of Mahim, and (9) Worlee." Toka lands are situated on the north-east of the island from Sion to Sewri. They comprise a total area of 1489 acres and 764 square yards. The description of these lands as given by Mr. Arbuthnot[2] Toka.

[1] Toka originally denoted Government ground under cultivation and paid toka or share of produce since commuted annually into money payment. In 1837-8 the rate was fixed at 20 rupees a *Muda* of batty. There were no measurements. It is consequently impossible to say what proportion the rate bears to the quantity of ground. Roughly, it can be said it varied in 1872 from 1 pie to ½ pie per square yard.

[2] Mr. Arbuthnot writing in 1876 stated that the original right of the Company as proprietors of the whole of these lands is founded on the 9th article of the famous convention of 1672, which runs: "That all royalties, rights, privileges and immunities which did formerly belong to the Crown of Portugal of Foras and Royal rents of what nature or condition soever shall be reserved as of right they belong to the Honourable Company." Apparently however it was not the right of the Company as proprietors that was founded on the 9th article but the right to establish the system of taxation prevalent in the island under the Portuguese Government. That article further reserved the right of the Company to military service.

still holds good. The early history of these lands shews that the Kunbis or tenants who cultivated the lands could be removed at the pleasure of Government. The right of the proprietorship of these lands was founded on the fact that all uncultivated and waste land, excepting such as by the constitution of the island was an appendage of the cultivated portion as pasturage ground, was at the date of Aungier's convention Crown land, which as time went on was let out for cultivation to the Kunbis, the produce being equally divided between the Company and the tenants, a reasonable allowance being always made in bad seasons.

Subsequently a considerable portion of the sweet batty grounds came into the possession of the Company by confiscation after the Sidi war in 1677. The Jesuits' lands and Rama Kamati's property also devolved upon the Company in 1692 and 1720 respectively. At the time of the cession of the island to the British Crown, the Jesuits were the sole possessors of Parel, Vadala and Sion, and all the property of the Jesuits on which Government could lay hands was confiscated. In 1733 we find that some of the cultivators of the Company's batty grounds deserted the island and fled to Salsette, in consequence of being forbidden at the instance of the Court of Directors to manure their lands with "kuta" or fish manure. The want of this manure, they said, had seriously impaired the productiveness of the soil which would not grow melons, cucumbers and other vegetables without it. The Company in consequence experienced considerable difficulty in getting tenants, and in 1734 they complained to the Court of Directors of want of husbandmen on the island. The Court in reply signified their willingness to allow the use of "kuta", if the prohibition of the same had sensibly lessened the produce of the lands.

In 1751 the Board considered that the batty lands would produce larger annual rents if they were farmed out in the open market. It was therefore resolved to see what they would fetch at a public auction. Accordingly the village lands were put up to auction on the 26th February of that year on the following terms :—"(1) That the farm

be let for 7 years commencing from 1st June 1751 to the 31st May 1758. (2) That the farmer pays the rent in two equal instalments, one at the end of February, the other on the 31st of May. (3) That the farmer shall collect from the Currumbees the usual toka for the ground, they shall pay in the same manner the Honourable Company used to do and also all the customs and small tributes. (4) That in consideration of the rent he pays to the Honourable Company, the farmer shall be empowered to make what improvements he can and have the benefit thereof during his lease as likewise of the grass and all sorts of fruit and other trees that are in the villages. (5) That if any disputes arise between the Currumbees and the farmers, the farmer may apply to the Collector who will give his assistance and decide the same. (6) That to recover from such Currumbees as are in the Honourable Company's debt, the farmer will take what part he can and pay the same to the Collector who will also give the farmer his assistance in recovering his due from the Currumbees if any be remiss in paying it. (7) That at the expiry of the lease the farmer is to leave the farm in as good a condition as he received it or to make good the difference on a survey taken both at start and at the expiration of the lease."

The lands were let as follows:—Batty grounds in

(1) Parel ...	... Rs. 2605	(5) Wadalla	... Rs. 1761
(2) Sion ...	... ,, 1300	(6) Nagao	... ,, 982
(3) Dharavy	... ,, 273	(7) Bomnolly ...	,, 530
(4) Matoonga	... ,, 1965	(8) Mahim & Worli	,, 144
		Total	Rs. 9560

This method of renting the batty grounds of the villages was communicated to the Court ot Directors and was approved by them. The system of farming the villages at auctions in leases for 7 years appears to have continued till the year 1800.

This farming system did not work well. Though it brought a little more revenue to the Company, it kept the Kunbis or actual cultivators at variance with the farmers who were never known to relax their

demands even in times of scarcity[1]. The lands were by long usage assessed at a rent in kind which, after the harvest, was paid by every Kunbi according to his proportion, usually one-half. But during the prevalence of the farming system it seems that a payment in kind was changed to a payment partly in kind and partly in money. And in the particular village of Parel during the last lease the payment in kind was wholly converted into a money payment. In 1739 the farmers of the Parel village asked the assistance of the Collector to recover their dues but it was refused on the ground that no obligation rested with the company or their collector to exercise any coercive authority to recover what was not the revenue that the farmers agreed to farm because it changed from commodity to cash. The Collector at harvest time did assist in recovering toka in batty only. The farming system was eventually abolished in April, 1800, from which date the kunbis paid their dues direct into the Collector's office.

The effects of the farming system were far more disastrous to the Company than might at first be supposed. It appears that the Kunbis became more and more embarrassed, and began to assert that they had obtained a sort of permanent right to the soil and could dispose of their right of benefit to other men who converted the arable lands into private estates, enclosing them first with hedges, next with stone and chunam walls and then erected houses thereon, thus paving the way in course of time for a declaration of their rights as perpetual. The original proprietors of the land, *viz.*, the Company, were thus gradually being deprived of their property without even their consent being asked or any equivalent being paid to them. The cultivators could dispose of their grounds with a better tenure than the Governor in Council could grant.

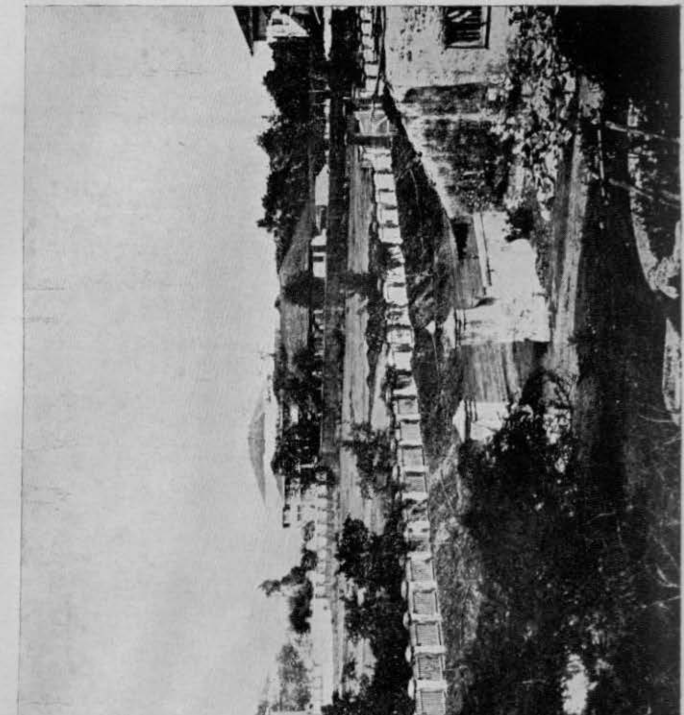
The state of these lands at this date with reference to the rights of the Company, the position of the cultivator with regard to his tenancy and the mis-

[1] Prior to the farming system it was customary with Government to make an abatement of Toka or to relieve the Kunbis by advancing loans of batty.

chievous tendency of the latter to assume the right of proprietorship and alienate the land under his cultivation, was fully discussed by Mr. Smyth, the Collector. "The absurdity," he wrote, "of any tenant having the power to give a better title than held by himself is too apparent, but by the custom of Bombay no cultivator can exchange with another Currumbee without the Company's Collector's consent that the Register may be altered ; neither can he omit cultivating what he has once received to cultivate without being liable to be dispossessed and punished. And by the same custom officers called Mattaras are appointed by the Collector to prevent fraud, alienation or destruction to the Company's lands which it is their absolute duty to prevent ; and upon complaint the Collector has removed and punished the Currumbees." Mr. Smyth suggested that the Company should resume the management of the villages and keep them under their own control.

To prove an actual case of alienation Mr. Smyth laid the following facts before Government : "On Byculla plain opposite Mr. Price's house stands a stone and chunam house, three sides enclosed with a solid wall which being for sale, the purchaser insisted on its being registered according to custom in my office. Previous to which I perused the deeds, which I found defective, by one Manchar Dady, now alive, who was no more than a cultivator, having obtained permission from the farmer to cultivate this waste spot and build a cudgan or slight house ; that a Senoy, also living, wishing to buy this spot, agrees with Manchar Dady who boldly executes a deed of sale to the Senoy who builds the present house and wall and sells it. Mr. Constable, acting, I believe, for Mrs. Gribble, whose husband bought it, sold it lately to the late Portuguese Resident at Surat, who is the vendor to the Purvoe, who now wants first to register the deeds and have the title altered, which I could not do for fear my acts might give a sanction to what appeared improper, as the sale of the ground is perpetual, which is contrary to the express orders of the Company and a tenure not granted by the Governor and Council but on very special occasions. Next the origi-

nal vendor had no right to alienate the Company's property for descents alluded to by Mr. Constable in his last opinion, I have my doubts, being other than from father to son which I know bars a forcible entry but not a legal one. But how can any man claim a right to the Company's ground by an illegal sale? or how can he obtain a right by any Collector having charged ground rent for the spot, as no acts of a steward can bar the Lord's right? That if your Honourable Board think proper to confirm the perpetual grant of this ground, so close to the Artillery plain, and direct me to issue the grant I beg to receive your directions, or if you please only to grant a lease I beg to know for what term or in what manner you may please to determine the matter, as this one instance will guide all future ones in similar predicaments." Government refused to comply with the application for registration but asked the Collector in their letter of 9th September 1789 to grant a lease for a term not exceeding 21 years on no account whatsover to be renewed without the sanction of Government. On the 28th September of the same year Mr. Smyth addressed a further letter to Government suggesting the propriety of a Government Notification informing the farmers and Kunbis of the exact position as regards their tenancy and forbidding any unlawful sales without license from the Governor in Council. In compliance with Mr. Smyth's suggestion Government on the 10th October 1789 issued the following proclamation:—"Whereas the ancient (and till lately usual) custom of this island in regard to farmers of villages and Currumbees, of their being no other than stewards of the soil, having been most injuriously encroached on and infringed, in so much that the interest of the Honourable Company have been most audaciously usurped and very nearly annihilated. To the end therefore to renew the rights of the Honourable Company from so unlawful a combination and preserve their property and their rights in future the said President and Governor by and with consent of his said Council hath thought proper and expedient to ordain, that as all farmers of their lands are only their stewards put into possession of certain por-



tions of ground to improve for all sorts and manner of cultivation, and not to erect buildings of any kind whatever or to make any new enclosures of what sort soever. That whoever shall presume to act contrary to the spirit and true intent of this publication shall forfeit every such buildings, either of house, shed, wall or whatever and if found making enclosures be fined at the discretion of the said President and Governor, to whom all applications for buildings or enclosures through the Collector for the time being, must in the very first instance be absolutely made had and obtained and from no other person whatever. And he further ordains that as the Currumbees of this island under the Company are but tenants at will they have only the right to the use and improvement of such spots they are permitted to cultivate, instead of which alone they have presumed to dispose of many of these spots under deeds of sale thereby assuming a right only belonging to the Honourable Company, as Lords of the soil and creating in course of time a better title than the Honourable the Court of Directors have invested their Governor in Council, without their approbation being first had and obtained. To obviate which practices and in order to discover every such alienation of the Honourable Company's property a retrospective examination and power to rescind such unlawful sales is given in authority to the Collector and an absolute prohibition given to any future alienations of the same kind or even of what is termed the benefit without previous permission being obtained of the said President and Governor, through the Collector who is to certify and record every such license, under pain of such fine or other punishment as the said President and Governor or his successors may think proper to inflict; and any Mattara, suffering such alienation without acquainting the Collector as early as possible, shall be subject to dismission and what other punishment he may be deemed deserving."

The Notification of 1789 had, it appears, very little effect and the encroachments on the Company's rights and privileges continued up to the year 1804; for on the 9th of March of that year the above notification was

republished and the Collector was ordered to attend to the strict enforcement of all its provisions.

After the abolition of the farming system in 1800 the original system whereby the Kunbis paid their dues direct into the Collector's office, was resorted to. The original system of paying in kind appears to have by this time relaxed and the Kunbis had the option of paying their toka either in kind or in money, the commutation being made every year at the market price determined by the Governor in Council[1]. The collection of the toka varied from Rs. 23 per *muda* and upwards. Once in the year 1803 it rose to Rs. 45. It was not however deemed expedient to collect the whole of the toka in that year in consequence of an almost total failure of rain, and on the recommendation of a committee appointed to report on the state of the crops an abatement of half of the toka was suggested and sanctioned by Government.

In the opinion of the Rent Committee of 1837 these lands were subject to as heavy a tax as they could afford to pay without driving them out of cultivation and they considered it needless to argue the question of a right to increase it, seeing how inexpedient if not impracticable would be its exercise. From 1837-8, however, the rate of commutation remained fixed at Rs. 20 a *muda*[2] of batty without any reference to the market price. No sanction of Government was annually applied for as before, though the authority, if there was any, for such a departure is not forthcoming ; but it seems probable that the opinion of the Rent Committee of 1837 who thought that the toka lands were subject to as heavy a tax as they could afford to pay without driving them out of cultivation brought about this change. The option of the tenant to pay in kind was annulled and all payments since that year were invariably in money.

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[1] The relief to the Kunbis from this measure had been immense. They obtained abatement in toka which was refused to them by the farmers and further the advantage of purchasing batty from the Company at lower rates than those prevalent in the market.

[2] One muda is equal to 25 maunds of rice.

In 1876, *i.e.*, four years after the new Revenue Survey was completed, the Collector, Mr. Arbuthnot, reviewed the state of these lands and revived the right of Government to an increase of assessment. "The produce of these lands," he wrote, "is various. On some of it rice only is grown, other parts of it give good garden land, some is built upon, some is worked as stone quarries, from some of it earth is taken for reclamation purposes and some is kept waste for grass and grazing." Further "there have been no previous surveys of toka and foras-toka lands, and as I find it impossible to make the old Collector's numbers tally with the new survey numbers in any way either as regards area or ownership, it is better to re-assess the whole on the basis of new survey numbers."

The rates of assessment he proposed were (1) one pie per square yard on lands at Parel, Naigao and Bomnolly, half a pie on lands at Matunga and Vadala, and one-third on lands at Sion and Dharavi.

"It is impossible," he added, "in Bombay to charge different rates for rice land, garden land, building land, grazing land, &c. The rice field of to-day is built on to-morrow and the most regular and equitable system appears to be to place one low uniform rate on all land as the Crown assessment, guaranteeing that rate in perpetuity or for 50 years, as Government may decide. The scheme proposed by me is simply to place one uniform rate of assessment on all toka land, leaving the owners to do what they like with their land; build on it, grow rice or other produce on it, or turn it out into quarries or use it for grazing. Considering the position of these lands, the population of the island of Bombay, the nearness to markets and the ready sale for everything that is brought there, I do not consider that the rates I have fixed are high and I trust therefore that they will meet with the approval and sanction of Government."

Mr. Arbuthnot's rates were approved by Government in August 1879, and were guaranteed for 50 years from that date. The enhancements of the toka rents took place in the same year. The guarantee will expire in

1929 when a general revision of these toka lands will take place.

In consequence of Mr. Arbuthnot's revision Revenue Suits Nos. 1 of 1882 and 1 to 15 of 1883 were filed by the owners of the lands. Of these No. 1 of 1882 (Shapurji Jiwanji *vs.* The Collector of Bombay) was taken as a test suit and transferred to the High Court. The case was decided by Mr. (afterwards Sir John) Scott, in favour of Government, the Court declaring that the Plaintiff had no right in limitation of the right of Government to assess his land. The right of Government to increase the assessment over these lands was thus clearly established.

The question of the interest of Government in these lands as against that of the toka lands has recently been one of considerable importance in view of the large acquisitions of toka lands by the Improvement Trust in the limits of the island. After a good deal of discussion the Government claim has been settled on a basis of the capitalized value of the existing amount plus the value of the reversion in 1929. In calculating the value of the reversion in 1929 the present situation of the land has been the chief factor, *e. g.*, when the land is already built upon or is required for building the remaining interest is calculated on the 4 p. c. table; it being assumed that Government will insist on a ground rent at the rate of 4 p. c. on the value of the land at the next enhancement. In case of the lands that are not built upon the reversion is calculated on the 5, 6 or 7 p. c. table according to its position and possibilities of development.

Foras Toka.

This tenure appears to have originated during the administration of the Portuguese government which, with a view to encourage industry and agriculture, allotted to the cultivators of the toka batty grounds, certain pieces of land of an inferior quality subject to the payment of a very small rent denominated "Foras." This species of land was therefore usually styled by the natives "*Tokache Foras*" that is Foras grounds attached to toka batty grounds. The distribution of these spots was usually left to the Vereadores and Mhataras "than whom no set of men were more easily prevailed upon to connive at

the malpractices of the Currumbees, who by that means were enabled to appropriate to themselves other and more valuable ground in lieu of that set apart as unproductive and let out to the public exclusively for the grazing of the cattle, and as land in general became ameliorated, the Foras-toka lands came to be alienated from the toka by the tenants disposing of them to others at higher rates of rent, and to such an extent that after a time the relation between the two tenures became hardly perceptible."

On this class of land Captain Dickinson makes the following observation : "Admitting among other causes that this circumstance has its origin in an increased spirit of industry on the part of the Currumbees, and the progressive melioration of the waste ground, it surely never could have been the intention of Government to renounce all benefit in the future improvements of their lands, let out almost gratis to the public. Till the late survey, it is to be observed, no measures had ever been taken with a view of ascertaining whether any and what portion of the island paying Foras was appropriated to a purpose, so widely different from that for which it was originally granted ; hence that very imperfect relation, which the existing documents in the Collector's office bear, as well in respect to the actual quantity as to the description of the land to which the assessment under the denomination still appears. It may be expected of me to show what would be an equitable rent for such portion of the ground in question as is appropriated to the cultivation of sweet batty, and I beg leave to recommend for the future toka the present valuation of $\frac{1}{4}$ on the received average of the medium gross produce of a bigha of white batty cultivation."

These suggestions were never carried into practical effect. There was no proper detailed survey of these lands, neither was there any measurement of them. It is suspected that a large quantity of this land has been included in the Foras lands referred to in subsequent pages and has thus been enfranchised as freehold under the Foras Act. The remaining Foras-Toka lands were, after Colonel Laughton's Survey of 1872, amalgamated

by Mr. Arbuthnot in 1876 with the toka lands and have since then shared their fate.

Kurleet. There was in some parts of the Mahim district another description of ground, called "Kurleet," which paid a "petty tribute" to Government. It consisted chiefly of high and rocky ground, such as could not be cultivated with batty. One-third generally of the produce of this ground was the tax levied upon it. The cultivators of this kind of land were always in the habit of changing their plots, creating thereby a corresponding fluctuation in the branch of the revenue under this head. These lands were also in course of time merged in Toka lands.

Foras. The lands designated "Foras" play a very important part in the history of land tenures in Bombay. They are also known as "Salt Batty" grounds, a term expressive of their origin as having been reclaimed from the sea which traversed the island in different directions, finding outlets for itself at Back Bay, Mazagon and other parts, and dividing Bombay into a cluster of islands. Mr. Thriepland in 1805 defined 'Foras' to be "the rent having a peculiar denomination which from the earliest times had never been altered and which conveyed to every native a fixed and determinate idea of the nature of the terms by which the lands were held." It was called "Foras" from the Portuguese word *foro*, the meaning of which is "rent", but in this island it appears to have denoted the particular rent which was paid by a cultivator or person permitted to occupy ground for the purpose of improving it, but without any lease or grant by which he could maintain possession during the continuance of his term.

The old salt batty grounds were recovered from the sea by means of the Vellard between Sion and Mahim, while the new salt batty grounds were recovered by means of the Hornby Vellard. The recovery of these lands from the sea took place in the early part of the 18th century and the Governor in Council induced many "Currumbees to embank and enclose spots and make them fit to cultivate grain on." The following extract from a letter of this Government to the Court of Directors thus alludes to it:—"In order to encourage indivi-

duals to drain the plain from which the salt batty grounds have been recovered, the Hon. Court, in their letter of the 4th June 1703, authorized it to be leased to individuals free of rent for a number of years, after which a small quit rent was to be fixed. Had the ground been drained by the labours and at the expense of individuals, the establishment of the quit rent would probably have confirmed a claim to the property in perpetuity; but as individuals could not or would not undertake the stopping of the breaches, the Government constructed the Vellard at an expense of upwards of a lakh of rupees."

In 1738, on the expiration of the leases under which the lands were held free of rent, a resolution to re-let the properties was adopted. In August 1740, a publication was issued, giving notice that the Company were willing to receive proposals for farming the same in parcels or in whole and offering ground for cultivation at the low rate of 4 reas per *burga* 60 square yards). In 1741 the consultations of the Governor in Council show a minute on a letter from Mr. Marsh, the then Chief of Mahim, which points out that the lands were the Company's, and that they were let as well as other lands to the Kunbis who never were known to derive any other than an allowed interest during pleasure. In 1744 the rent was increased from 4 to 6 reas per *burga*; and in 1748 a new measurement having taken place, the foras rent was raised to 9 reas per *burga*; from which time all except those in the district of Dharavi have remained unaltered. The Dharavi lands which were also recovered from the encroachment of the sea bore 10 and 15 reas per *burga*, but in 1748 were made to pay a uniform rate of 15 reas a *burga*.

Some time in the year following (1790), Mr. Smyth, the Collector, laid before Government a report on the subject of these lands, their origin and tenures, and the encroachments. "The leasing out these lands," observes Mr. Smyth, "the recovery from waste to cultivation, the sovereign act of raising the rent at different periods prove, the Company's royal rights and the very title of the rent itself which is called foras is denominated a royal rent. But though few dispute the land to be of

right the Company's, it is asserted what totally would destroy the operation of such a royal right and would destroy the tenure of all Currumbees by making them independent landholders while they paid their rent and consequently would deprive the Company of their right of dispossession. For it is not only asserted but actually put into execution that they may and can sell the salt batty ground they stand on the Company's record as only the cultivators of. Whereas the origin of any possible alienation or alteration of title, I conclude to have been that some Currumbees dying, running away, or becoming unable to cultivate or not wishing to continue the Currumbee of the spots they had farmed as batty grounds, it became necessary to allow them or their heirs to dispose of the value of the improvements from waste to cultivated ground on application to the Governor or the Collector, that the next year's rent might be duly recovered from the new Currumbees. But in that process of time instead of the application specifying the value of the improvements, it appears to have been for leave to dispose of this salt batty ground, though it certainly could only mean and be intended for leave to be given to dispose of the same interest he had purchased, and that every application for this purpose was necessary, that the receivers of this rent in the different districts might know who was the actual Currumbee to answer for the rent ; for it cannot be conceived any Collector would or could allow total alienation of the Company's property without reasonable price ; that after the Collector's seeing this permission on their records, might have rested satisfied without further inquiry of its propriety and so having continued to admit them, on the general expression of leave to sell their salt batty grounds and this may have caused many to entertain the idea that they had actually purchased a permanent and irrevocable interest in the soil or why should they attempt to build houses and walls and dispose thereof without asking leave and dispute with me the Company's right as some have done.

"Whether the native considers the Company as the true lords and owner of the land and his interest to be

permanent, or whether he considers his interest permanent and irrevocable by means of his purchase, the matter is exactly equal when we see sale made of these lands without the Company, or their Collector, having any intimation thereof. And that this is the case I have two instances to lay before your Honourable Board, one being a sale made of salt batty ground under the title of the late Govind Matra, situated in the Mahim District, under a precept of attachment and sale directed to the Sheriff by the Mayor and not by the Court for debts of the heir of said Govind Matra who had other property actually his own; which sale I came to the knowledge of by the Mayor sending his receipt book for me to sign officially for arrears of rent due by the said debtor, not only for this salt batty ground but 6 or 7 others and tax on his own real estate which I refused, seeing it was for sale made of property actually belonging to the Company though in the receipt termed the property of a Currumbee; and intimated to the Mayor, the same which I should report to your Honourable Board as was my absolute duty desiring him to retain the amount of sale.

"This sale by order of a magistrate coming thus publicly to my knowledge, obliges me to report it with the preceding observations as, if mere interest at will is only the Currumbee's right, the Company's rights are invaded, it being impossible for any sale to be made of that interest without the consent and participation of the Company as Lords, who as sovereign also, while these grounds are not required for any particular use, act as fathers to their subjects and would not refuse them disposing of their little interest in the ground they have improved; but I do not conceive it can be insisted on or ordered by a Court of Justice. But in this sale it appears a permanent interest is given, or why such a price of Rs. 457 for no more than what pays Rs. 2-3-25 to the Lords, for it is in vain to argue such a price would be given for an uncertain tenure; but the next instance will prove a permanent, if not irrevocable, right is sold and given, as will be more particularly seen by the accompanying deed of the sale and translate which actually confers the rights of a free-holder, while he pays the

foras rent to the Company. And the high price of Rs. 550 is a certain proof that more than a temporary interest is sold, though the deed does say the purchaser is to hold in the same manner as the vendor. It is hence I argue the danger of any sale made in this manner and infer the necessity of your giving immediate directions to file the usual process against both these sales which will serve to demand restitution of all preceding ones or I am apprehensive the Company's rights will be totally annihilated."

To ascertain and protect the Company's rights Mr. Smyth recommended an immediate survey of all the lands. He further promised to lay before Government an address relative to the propriety of raising after forty-two years the rents of these salt batty-grounds, which had become in many places equal to the best batty ground in Bombay. It is not clear whether this address was sent or not, nor whether any measures were adopted in pursuance of Government Notification of 1789 or Mr. Smyth's last mentioned report of 1790. But it is certain that up to the year 1804 the encroachments continued ; for on the 9th of March of that year the Government Notification of 1789, forbidding the sale of the Company's lands by the cultivators, was republished, and the Collector was ordered to attend to the strict enforcement of all its provisions.

In 1805 the question of the respective right of the Government and the holders of these lands was for the first time put to a legal test. It came before the Recorder's Court in an action brought by one Shaikh Abdool Amlity *vs.* Nasarwanji Cowasji, but the Company were the real defendents, the nominal defendent being one of those to whom, in consequence of the extension of the Esplanade, an allotment of ground was made by the Collector, on the supposition that the space assigned belonged of right to the Company though in the occupation of the plaintiff. The latter anxious to retain the possession which he and his predecessors had held uninterruptedly for over 30 years, brought an action for trespass against the person so accommodated. The strength of the plaintiff's case consisted in the undoubted fact of un

interrupted possession for upwards of 30 years, joined to a deed by which it clearly appeared that the property had been sold for a considerable consideration to the person from whom the plaintiff derived his title so far back as the year 1772, and that Deed was duly registered in the books of the Mayor's Court in 1775. The result of the trial was in favour of the Company, the defendent obtaining a verdict; but in delivering the verdict, the Recorder, Sir James Mackintosh, expressed the opinion that the occupant had a presumptive right to lenient treatment. The question of raising the rent on the salt batty grounds was taken up in 1812 when Mr. Munroe submitted a report explaining that Government should reap some further benefit from them on account of the great expense the Company had incurred in building the vellard, and proposed a scale of increase. "The greatest part of this ground," he says, "has now attained as high a state of cultivation as I believe it is capable of or equal to batty ground in general throughout the island." As for the new scale he proposed that the cultivators of the New Salt Batty Ground should pay as rent one-third of the produce, instead of what was then paid which did not earn amount to a fifteenth of what it produced. Mr. Munroe suggested that before the crop for the next year was removed the produce should be ascertained and that the Currumbees should be informed that the new rates of rent would commence on the crop of 1813-14, thus giving the cultivators a full 12 months' notice.

In a further communication of the 4th November 1812, Mr. Munroe remarked "If I may be allowed to offer an opinion for what has been stated in regard to an equitable assessment on the new and old salt batty ground, I would respectfully recommend that it be assessed at the rate of 5¾ *Adholis* per *burga*, one-third of which will give 7 *Shers* one *Tipree* and one-third of a *Tipree*, which will yield a revenue to Government in favourable seasons (supposing the salt batty toka to be annually fixed at the moderate rate of Rs. 21 per *Muda* and the number of *burgas* to amount to 175,438½) of Rs. 17,647-1-23, being 13,735-0-17 more than the Company's present annual revenue from these grounds which amounts to

Rs. 3,912-1-06". Further, "to preclude all possibility of ignorance on the part of the cultivators of the grounds to be assessed in regard to the rise of rent to take place next season I beg earnestly to recommend that a Government notification to the above effect may be issued as early as the Right Honourable the Governor in Council may deem expedient."

Government acknowledged Mr. Munroe's propositions and on the 1st November 1813 published the following notification: "The Right Honourable the Governor in Council adverting to the very low rents which have hitherto been paid to the Honourable Company by their tenants-at-will of the new and old salt batty grounds, the last augmentation having been from 6 to 9 reas the square burga only, has resolved to increase the same in a nearer proportion to the value of the grounds. It is hereby therefore notified that one-third of the produce of the above lands will henceforth be annually collected by Government, commencing with the crop of 1814, and such tenants as refuse to comply with the above resolution of Government will be turned out of possession." But the holders of these grounds strongly resisted, and in a memorial not only stated their objections at length, but denied the right of Government to make the increase, and revived the old question of the Company's right to anything more than the then existing rent.

The case was submitted for Mr. Advocate-General Mocklin's opinion, and specifically on these points :—

"1st—Whether the Government possessed the right of increasing the rent of the salt batty ground, etc."

"2nd—Whether, in the event of the proprietors refusing to pay the increased rent the Government could resume possession of this description of property."

The answer of Mr. Mocklin to both these questions was in the negative. He stated that from an examination of the evidence on both sides, it appeared to him perfectly clear that native land-holders of Bombay of every denomination were originally invited to settle in the island under the idea that the land allotted to them was given in perpetuity. That this was at least an implicit if ot an express contract appeared to him equally clear

from the various transfers of property that have since taken place with the knowledge of Government, amongst which were to be found many purchases by Government itself, from the very same tenants who were denominated tenants-at-will. Mr. Mocklin was clearly of opinion that Government had not the right either to increase the rent or to resume the lands at their pleasure. In consequence of this opinion, the measure for increasing the rents was suspended, and the matter referred to the Honourable Court of Directors in 1815; and in doing so, the Government in their letter adverted to the conflicting opinions given by the two Advocate-Generals (Thriepland and Mocklin), and observed that though the judgment of the Court of the Recorder was in consonance with the sentiments of Mr. Thriepland, still Sir James Makintosh had qualified his decision by observations tending to support the view of the subject taken by Mr. Mocklin, and concluded their letter in the following manner:—"The Honourable Court will appear to have contemplated the object of increasing the rents on these lands at a convenient season from the earliest period, and we have only to regret that the former Governments of this Presidency should have allowed individuals to occupy grounds in the loose way they have done, and thus precluded any subsequent Government from carrying these intentions into effect; at the same time that we are far from arraigning the policy which dictated that forbearance, the intention of which would seem by Mr. Warden's report to have had in view the increase of population of the island, which probably could not have been effected had the lands been leased on less favourable terms."[1]

The Honourable Court replied as follows to the above despatch:—"We have not thought it necessary to determine how far we can coincide with the opinion expressed by Mr. Mocklin, as, whatever may be the right of the Company to resume from the present possessors

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[1]From this it would appear that the measure was one of policy; and on reference to Mr. Warden's report invitations appear to have been held out in former days to persons to come and settle in Bombay on these waste and uncultivated lands with a view to an increase of the population of the island.

the salt batty grounds, we think that, under all the circumstances attending the tenure of them, the possessors have a fair pretention to consider themselves as owners of the inheritance, subject to the rents they now pay, and also subject to the burthen of keeping vellards erected for their defence against the sea in thorough repairs. We cannot but presume that the present possessors will gladly accept a recognition of their titles upon this condition, and we authorise you to set their minds at rest by making grants accordingly in perpetuity. In doing this you will be careful to receive the present rents, and annex a condition for the grantees' assuming the repairs of the vellards, and we direct you explicitly to guard against the possibility of their mis-conception that their lands are to be exempted from any taxes or assessments now payable for public purposes, general or local, or which it may be deemed proper hereafter to impose upon landed property or occupation. We mean to recognize retrospectively a title in perpetuity in the persons who were in possession in the year 1744. Any question of derivative title under them must be left to the decision of the proper legal tribunals. We must note here that our attention has been confined exclusively to the batty ground referred to in the 71st para. of your letter."

Difficulties appear to have occurred in carrying into effect these directions of the Court, the nature of which may be gathered from the following letter of Government of the 19th April 1820 to the Court :—" We have the honour to report the impracticability of giving effect to your Honourable Court's commands in regard to the grant in perpetuity directed to be made to the several holders of salt batty ground until a survey of the whole of that description of property shall have been completed. In the meantime we beg to call your Honourable Court's attention to the observations of the Collector on that part of your orders, which more immediately relate to the Breach Candy Vellard. The work in question was built not exclusively for the security of the salt batty grounds though that description of land arose out of its construction, but for the general improvement of the island. The whole revenue

from the new and old salt batty grounds amounts to about Rs. 4000 being assessed at different rates, from 6, 7 and 9 to 14 reas per *burga* of 64 square yards. The expense of keeping the Vellard in repair may be taken at about Rs. 1500 per annum, and if that expense be thrown upon the proprietors it will lead to an advance annually of 5 per cent. upon the present rent which we do not imagine that your Honourable Court intended to impose on this particular description of property for the preservation of the work equally beneficial to the other inhabitants of the island, and particularly to the Fazindars and proprietors of ground situated on the low part of the island. The liberal intention of your Honourable Court of issuing grants in perpetuity in favour of these lands might be less exceptionally carried into effect by fixing the rents for the future at the highest of the existing rates, namely, 14 reas the *burga*, and by inserting a change stipulating that in the event of any portion being hereafter required either for Military cantonments or any other public purpose, compensation shall be made to the owners for the value of the improvement in building, trees, wells, and tanks, to be ascertained by a jury and not of the soil itself. We would however prefer that this arrangement should be postponed until the survey of the island shall have been completed."

A survey was made of this description of property by Mr. Tate in 1827, but it was a general one only, and was not effectual for the purpose mentioned in the Court's letter; and from that date up to the year 1836 no measures were adopted towards establishing the possession of these estates on the footing of the Court's suggestion of making grants in perpetuity or of the modification of that suggested by the Government of Bombay. But in 1836 when Grant Road was projected, the lands on which it was constructed being "Foras", the question of the Government's right of resuming them was revived, and the "Rent Committee" was asked to report "Whether the Currumbees or cultivators of what was called salt batty ground which skirts the whole of the low level known by the name of the "Flats", really possessed the right which they appeared

to have so frequently exercised of late, of disposing of it as building ground without the sanction of the Government." On this question the Committee in their report of the 20th April 1837 expressed their opinion as follows:—"That such a right as also the right of ownership still appertains to the Honourable Company with respect to all the Foras Grounds in the Island of Bombay rests on still stronger evidence nor do we entertain any doubt as to the expediency of exercising it. It is not we think to be supposed that in imposing such a low rate as 9 reas the square *burga* on this ground as compared with other which had been adverted to on account of its inferiority at the time, the Company could have intended for ever to divest itself of the power of raising it at some future period or when by the mere operation of time without any extraordinary expenditure on the part of cultivators, it became of equal value or was employed for other than the purposes for which it was originally granted. As the claims that were put forward in those days (1805-06) would appear to have been disallowed both by the Governor and the Recorder's Court, after a great deal of inquiry and discussion, under these circumstances and with reference to the facts we have adduced as so peculiarly distinguishing this from all Company's ground, Government seem to us to possess an undoubted and indefeasible right to dispose of the whole of it, as to them seems best."

The Committee proposed that the whole of the Foras ground under cultivation to the south of the Bellasis road should be resumed, but not without compensation, which was to be at the rate of 5 years' foras ; and that the holders be further offered gratis building sites, the frontage and square contents of which should bear some proportion (say 1/20th) to the quantities of such ground which they then enjoyed. With respect to the occupants of ground to the north and east of Bellasis road, the Committee submitted that they should for the future be debarred from using or disposing of any part thereof for building ground without the sanction of Government ; any violation of this rule to subject the offending party to the forfeiture of his property. The

Committee further submitted that the rate then payable on what was still used for cultivation should be raised so as to bear a closer approximation to the toka grounds.

In reply to the report of the Committee regarding the foras, Government, while concurring with the Committee as to the right of Government to resume it and to increase the rent on it, expressed the following sentiments :—"In consideration, however, of the great length of time for which the occupants of this Foras ground have been allowed to retain undisturbed possession, the Governor in Council feels that it would not be consistent with the principles of a mild Government to resume these lands without such a value for the property as with building sites gratis in other parts of the island would be considered a just equivalent"; and in another place they observe that "the resumption of it would be very unpopular, and that the permission to build should expressly reserve the right of Government to resume the ground for roads, streets, or Government buildings, or other public purposes, paying only the value of any buildings thereon." This reply is dated December 1837; and shortly afterwards, in 1838, Grant road was commenced, and the ground on which it is constructed was taken without compensation from the occupants thereof, and without a murmur on their part, or any demand by them for compensation; the purpose for which the ground was taken, *viz.*, for a public road being of such an admitted public benefit that the surrender of it for such purpose was readily acquiesced in.

Matters remained thus till the year 1841 when the question was again revived in consequence of Government having resumed some plots of ground near the Race-course for the purpose of stacking hay, without paying any compensation to the occupants thereof, Government conceiving the ground to be the property of the Company and the occupants to have been merely their tenants-at-will, liable to be turned out at any moment. These plots were specially selected on account of their distance from the Native Town to guard against the dangers of fire to which all the Native Town was exposed, the hay stacks on the old sites (where the Sir

J. J. Hospital and the Grant Medical College are now built) having caught fire three years in succession. A memorial signed by over 700 persons was sent to Government, in which the memorialists professed to show their title to the lands at great length and concluded with the following prayer :—

(1) " That no land, occupied whether directly or derivatively through a succession of generations, be resumed at the pleasure of Government ;

(2) " That the lands already resumed or under process of resumption be restored ;

(3) " That no Foras lands or salt batty lands under foras tenure, be ever subject to any other than the ancient rate of taxation."

The memorialists contended and claimed the ground as their own fee-simple inheritance, subject only to the payment of the small nominal quit-rent charged upon it, and they appeared particularly to complain of having been ousted, not for any public benefit or purpose, to which the ground was to be converted such as a public road or other work, but to make room merely for private individuals (the owners of hay), who were allowed to stack their hay on this land rent free.

The memorial was sent to the Advocate-General Mr. LeMesurier for his opinion and report, and he expressed the following view :—" The payment of rent in ordinary cases is the best and most conclusive proof of title between landlord and tenant, but in a case circumstanced like the present and standing by itself, it affords no more than proof of title to the rent and not to the land itself. On behalf of the tenants, the claims they have to urge in support of their rights are undisturbed adverse possession for 20 years, 40 years, 60 years and more, by themselves or their ancestors, or those through whom they claim not merely possession, but an adverse possession, in opposition to and in defiance of the Company's rights. The registry of their deeds and instruments of transfer in the Collector's office prove, too, not only their opposition but knowledge by the Company or their agents of such opposition and usurpation of their rights, and the acquiescence of the Company—long and unresisted acqui-

escence (at least not resisted with effect) in such usurpation, and thus by allowing the occupants to deal with the lands as their own—to sell and dispose of them as their own property, and purchasers under this belief buying them for value, and enjoying them as their purchased free-holds, the Company by such conduct are now, by the common principles of equity, concluded and stopped against them from asserting their own rights. I therefore think, that, if litigated, the memorialists, would be able successfully to establish their title to these lands, subject only to the rent payable in respect of them and which Government in my opinion have not now at the present day the power to increase as original landlords of the soil. Any increase, if necessary or expedient, must be by way of a tax which can only be done by a law for the purpose."

On this report Government on the 4th of April 1844 passed the following order:—"This report which gives a clear history of the origin of the Foras tenure establishes beyond doubt the proprietory right of Government to all lands of this description, but considering the circumstances which are noticed by the Advocate-General of the occupants having been led to look upon these lands as their inheritance, the Governor in Council is unwilling to authorize any general measure of resumption, and is therefore inclined to the opinion that after reserving such spots as are likely to be required for works of public utility either immediately or at any future period, so that Government may be secured against the risk of having to pay for them, the proprietory rights for which the present occupants contend may be conceded in respect to the rest of the lands on some tenure recognised by English Law and not liable hereafter to be disturbed; the present rate of assessment being either redeemed or left on the land with an assurance from Government that it shall never be raised. In making such arrangements as are here contemplated it will be necessary to be very careful to guard against giving them the character of a compromise, since such a course may probably be construed to imply a doubt as to the validity of the rights asserted by Government."

For the purpose of carrying out this plan it was proposed—(1) That a careful survey should be made of the actual state of all the lands in question; (2) That a prospective plan of roads, streets, drains, tanks and other public works suited to the wants of the population which might ultimately be located on these lands should then be laid down; and (3) That a Code of Rules should be drawn up for regulating the erection of buildings in the district in question with a view to insure uniformity of construction and to provide for all points affecting the public health, convenience and safety. This plan was submitted to the Court of Directors, who in their despatch No. 28 of 10th November 1844 stated that they approved generally of the plan submitted but desired that in giving the assurance that the existing rate of assessment should never be raised, it might be clearly understood to apply to the assessment specially leviable on lands paying Foras and not be construed to exempt them from any tax or assessment then or thereafter leviable on landed property or occupation generally. A plan of this description showing the proposed roads, etc., was prepared by the Chief Engineer in consultation with the Collector and the Municipal authorities. The scheme as approved by the Court was communicated to the landholders, who were unable among themselves to make the requisite arrangements for carrying it out. After holding a few meetings the majority of them agreed to the following arrangements:—(i) That the ground required for roads, etc., should be delivered up to Government, the holders thereof being compensated at the rates determined by a committee of the principal landholders. (ii) That a fund should be raised by means of a contribution from all Foras landholders, proportioned to the quantity of the land. These proposals were strenuously opposed by a small minority and it was thereupon thought expedient, at the suggestion of a few principal Forasdars or landholders, to apply to the Government of India to pass an Act empowering Government to take possession of the ground required for the contemplated roads, etc. (the remainder of the Foras land being converted into

Freehold), and to appoint a commission to raise a fund by rateable contributions and to determine the amount of compensation to be paid from such fund to the parties whose grounds might be taken for the above purposes. On the 6th of June 1851 Foras Act VI confirming the holders in their possessions subject to the rents then payable, was passed by the Legislative Council of India. Two plans accompanied this Act. The lands comprised in plan No. 2 were vested in Government from 1st July 1851 free from all rights for the purpose of constructing roads, etc. The rights of the Company in all lands in plan No. 1 excepting those on plan No. 2 were from 1st July 1851 extinguished in favour of the persons who held the same respectively as the immediate rent-payers to the Company, subject to the rates then severally payable in respect of those lands. On the 25th July 1851 a Committee was appointed to carry out the provisions of the Foras Act, which fixed different rates to be paid as compensation according to locality. The rates so adjusted were:

For lands from Khetwadi to Central Circle ...	Rs 10 per *burga*.
For lands from Central Circle to Tardeo ...	Rs 7 ,, ,,
For lands from Corner near Gowalia Tank to the Circle...	Rs. 16½ ,, ,,
For lands from Circle to New Town.. ...	Rs. 12 ,, ,,
For lands from Bellasis road to Phipp's Oart	from Rs. 2 to Rs. 6 ,, ,,
For lands from Phipp's Oart to Sion northwards	from Rs. 1 to Rs. 2 ,, ,,

The total receipts from the various land-holders on account of the assessment on their Foras lands from 12th April 1852 to 5th September 1853 amounted to Rs. 67,517. The total amount of compensation awarded by the Commissioners for the lands comprised in plan No. 2, taken for public improvements, was Rs. 51,227. The expenses of the office establishment of the Commission and other contingent charges came to Rs. 14,619. The assessment was collected from 1909 individuals; of these 1870 paid the amount due. In 39 cases the assessment had to be levied by distress and sale. The proceedings of the Foras Commission were brought to a close on the 20th of September 1853.

The Foras lands have thus been enfranchised and practically guaranteed against revision of assessment. Government have in a recent Resolution authorized the redemption of the Foras rents of less than Rs. 10 at 30 years' purchase. Foras lands are situated at Byculla, Parel, Varli, Upper and Lower Mahim, Dadar and Matunga. Their extent is 3408 acres and 3266 square yards (according to Col. Laughton's Survey).

Inami.

The lands in Bombay, which fall under this tenure are situated mainly at Naigaum, Parel and to the north-east of the Sion fort. Small portions lie near Dadar and Dharavi. Inam lands pay no assessment to Government nor *judi* or cess of any kind. The area is roughly 5,714,940 square yards (878 acres). The grants were made to the Lowji (Wadia) family in 1783, 1821 and 1885 on account of the excellent services they rendered as shipbuilders to the Company. The Inam lands at Sion comprised in the grant of 1821 were exchanged with certain lands in the Thana District in 1855.

First grant.

In 1783 Sir Edward Hughes, K. B., Commander-in-Chief of His Majesty's Ships in India, brought to the notice of Government the very important services rendered by the Parsi Master-builder, Manockji, and Bomonji Lowji and their two sons Framji and Jamshedji Lowji, in refitting His Majesty's squadron, and recommended a grant to the family of Lowjis, so long as they should continue in the service of the Company as Master-builders, of a portion of the Company's batty grounds producing a net income of forty *mudas* of batty annually.

The Board accepted the recommendation and resolved to grant to the Lowji family a portion of the Company's batty ground which would yield them forty *mudas* of batty every year and put Manockji Lowji Wadia and Bomonji Lowji Wadia in possession thereof on 12th June 1783. The deed of gift which is dated 29th December 1783 was drawn in the following terms:—" This is to certify that Vice-Admiral Sir Edward Hughes, K.B., and Commander-in-Chief of His Majesty's Ships and Vessels in the East Indies, having by letter under date the 10th of March 1783 pointed out the great services rendered to the nation at large and the United East India

Company by Manockji Lowji and Bomonji Lowji the two Master-builders at this Presidency and having also strongly recommended to us to confer on them a certain portion of ground on this Island which will yield annually forty mooras of Tocca batty. This is to certify that the said Manockji Lowji and Bomonji Lowji have accordingly been put in possession of certain batty grounds in the district of Parel with their Foras and perteneas of the said grounds which will yield the above quantity of Tocca batty and that they are to be kept in possession of the same without molestation until the pleasure of the Honourable the Court of Directors is known. Given under our hands in Bombay Castle this 29th day of December in the year of our Lord 1783." This grant was ratified and confirmed by the Court of Directors on the 28th April 1795.

The second grant was made in the year 1821. On *Seco* the 12th September of that year the Collector of Bombay received the following letter from the Secretary to Government :—"The Honourable the Governor in Council having been pleased to comply with an application from the late Jamshedji Bomonji for cultivated lands yielding an annual rent of 6,000 Rupees instructs me to call upon you to report how far the grant can be made in Bombay. It is intended that the grant should be made by transferring to the heirs of Jamshedji[1] the revenue payable to the Government, under a formal engagement that the present assessment should not be increased and securing to the Curumbees the right of cultivation and all such other privileges as they may be entitled to by the constitution of the Island and under stipulation that in the event of the usual assessment being increased or any other modification introduced in the existing revenue system of the Island by the authority of the Government, the same shall have operation within the villages to be granted."

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[1] Jamshedji Bomonji Wadia was a master builder in the Dockyard and the grant was made to testify to the Company's approbation of his eminent and faithful services in that capacity. He died on or about 31st of August 1821.

The Collector replied as follows:— "The Honourable Company's Salt Batty Grounds produce a revenue yearly of Rs. 4,026-0-33. The sweet batty grounds yield annually Rs 9,674 but out of them there are three, *viz.*, Mothinga (called Matunga), Sion and Dharavi whose amount is yearly Rs. 3,448; that sum deducted bears for the six villages an annual rent of Rs. 6,226. The three villages are proposed by me to be taken out of the statement in case the Government or the Artillery at any future period should require more ground at Matunga or at Sion and Dharavi." To this the Collector received the following reply from the Secretary to Government on 20th October:— "I am directed by the Honourable the Governor in Council to acknowledge receipt of your letter dated 10th ultimo, and to inform you that lands yielding an annual rent of Rs. 4,000 will be granted to the family of the late Jamshedji Bomonji on the Island of Salsette. Nowroji having requested that the remainder of the grant, *viz.*, Rs. 2,000 per annum may be assigned in paddy lands on the Island of Bombay, the Honourable the Governor in Council has been pleased to comply with the request subject to the confirmation of the Honourable the Court of Directors under the conditions specified in my letter of the 12th of the last month. You will be pleased to adopt the necessary measures for putting the family in possession of the land accordingly in such manner as may be agreeable to them."

In January 1822, Government authorized the Collector to put Nowroji Jamshedji in possession of the batty grounds situated in the villages of Parel, Naigao, Sion and in the Casabay (*kasba*) of Mahim. On the 2nd February 1822, Nowroji Jamshedji signed a declaration to the effect that he would adhere to the engagements particularized in the orders of Government dated 12th September 1821. In October 1827 Nowroji Jamshedji applied to Government for a formal deed of gift or sanad. A deed was drawn up in the name of Nowroji Jamshedji, Muncherji Jamshedji and Dossabhoy Jamshedji, sole heirs and representatives of Jamshedji Bomonji, enabling them to collect and receive such revenues from time to time and at all times thereafter as and when the same should be-

cmoe due and payable and to enjoy the same as and for their own sole and absolute property.

The several pieces and parcels of ground given were :—

	Moorahs.	Parahs.	Adolies.	Sears.	Rupees.	Quarters.	Reas.
Parel	19	21	5	3½	496	1	17½
Nagao	24	13	16	2	613	3	3
Sion	30	5	12	½	755	2	42½
Mahim Cassabay	1	3	0	0	28	0	0
	75	18	4	2	1,893	2	90
The amount of Foras...					101	1	9
Petty income of Nagao village					5	0	1
Total Rs. ...					2,000	3	0

In 1854 Government received the following memorial from Nowroji Jamshedji Wadia :—"Your Memorialist begs to represent that he receives the revenue of the two villages in Salsette (Illaparla and Jhoo) which now yields the annual sum of Rs. 4711 out of which Rs. 711 your Memorialist refunds to Government being the surplus amount of the revenue of the said two villages, and which villages are allowed in Inam to your Memorialist with the net stipulated amount of Rs. 4,000 per annum. That your Memorialist further begs to state that he also receives the produce of an Inam land at Sion[1] in Bombay which yields Rs. 605 annually, and which being intermixed with Government land makes it difficult for collecting the revenue. He therefore prays that he may be allowed to exchange the produce of the land at Sion with the above villages in Salsette, *viz.*, that he may be allowed to retain the sum of Rs. 711, the surplus revenue of the two villages of Illaparla and Jhoo, in return for which the Government may be pleased to retain the revenue of the land at Sion, the deficiency of Rs. 106 in the revenue of the Sion land your Memorialist will thankfully pay at whatever valuation Government may think it fair to receive from your Memorialist."

[1] This was made over to the Inamdar in 1822. The commuted assessment was Rs. 604¼ paid by 110 cultivators.

The Collector reported on the memorial on 31st March 1855 :—" If Government were to take back this (Sion) land there would of course be a small addition to the work to be performed by the establishment of this office, involving however no increase of expense except perhaps the pay of an extra peon for three months in the year—say Rs. 18 per annum. During the last 20 years remissions of toka assessments have been allowed in consequence of partial failure of crops as under :—' In 1835-36 to the extent of about one-third, in 1837 one-third, in 1838 two-thirds, in 1842 one-half, in 1845 one-half and in 1852 one-half.' " He further stated "Had the lands in Sion of which Nowroji Jamshedji receives the toka been held by Government the sums which Government would have had to relinquish in remission to the cultivators in those years would have aggregated Rs. 1511-4-0 or on an average of 20 years Rs. 75-8-0 per annum. If therefore the Right Honourable the Governor in Council should be disposed to comply with Nowroji Jamshedji's application as an act of grace, I am of opinion that there should be deducted from the amount of toka assessment on account of charges of collection Rs. 18 and for probable remission Rs. 75-8-0 and the land taken over as equivalent only to Rs. 511 per annum (Rs. 604-8-0—Rs. 93-8-0). The net proceeds are not likely to be much above or below this sum on an average of years."

Government then passed orders (May, 1855) stating that they were prepared to make the exchange suggested by Mr. Nowroji Jamshedji taking the exchangeable value of his land at Sion to be Rs. 511 per annum on condition that the difference between this sum and the Khoti rental paid by him should be made good to the Collector of Thana. These terms having been accepted by Mr. Nowroji, a deed of exchange was drawn up and executed by the parties. The Sion lands thus reverted to Government. They have since been held by the tenants on the Toka tenure.

Third grant. The third grant was made in 1885 to Khan Bahadur Jamshedji Dhunjibhoy Wadia in consideration of the exceptional services rendered by him during his long official career extending over a period of more than

forty years in His Majesty's Dockyard. Mr. Wadia had taken an active part in the arrangements for fitting out the expeditions for Persia, Abyssinia, Malta, Afghanistan and Egypt, and had well maintained the ancestral reputation of his family. His request which was for plots of lands then valued at Rs. 55,100 was considered out of all proportion to the services rendered; and the Local Government was only prepared to move the Government of India to sanction the grant of land valued at Rs. 10,000 to 12,000. Mr. Wadia was asked to select, in consultation with the Collector of Bombay, such pieces of Government waste land as were available. Three plots of land, two at Dharavi and one at Sion, containing an aggregate area of 307 acres or 1,485,880 square yards were selected. The sanction of the Government of India was applied for and obtained on the 17th June 1885. The grant was made rent-free in perpetuity subject to the payment of all taxes, etc., chargeable and the condition that he should not interfere in any way with the supply of water to the salt pans in the neighbourhood of the Sion land and should not interrupt the free passage of the storm-water through one of his plots at Dharavi. The deed was executed on the 19th December 1885.

The relations between the Inamdar and his tenants were once made the subject of a High Court suit. In 1879 the Government of Bombay introduced a new mode of assessment on the 'Toka' lands. The Inamdars were at the same time advised to assess the lands granted to their predecessors by the Indenture of 29th May 1828 on a revised scale on the strength of the alleged power reserved to them by that deed A test case—No. 439 of 1889—was brought in the High Court by Cursetji Nowroji Wadia against Messrs. E. D. Sassoon & Co. to establish this right. The case was heard by Mr. Justice Parsons and the Inamdars' right to charge the assessment on revised scale was declared and confirmed on the 15th of February 1890. The defendants having appealed against this judgment, the Appellate Court directed that the Secretary of State for India should be made a party to the suit and ordered a re-trial. The plaintiff's Solicitors thereupon addressed the Collector to obtain a declaration

that the grantees were entitled to increase the rent. The Advocate General advised the Collector to grant no such order until it was decided in the suit that the Inamdars were so entitled He thought that the terms of the document were so obscure that it was possible on one construction to argue that under the terms any enhancement should go to Government and not to the overholder. The Collector agreeing with the Advocate General suggested that Government should accept the position of parties to the suit and instruct their law officers to press the Government claim to the increase recoverable under the revised settlement rates. Government concurred in the view taken by the Collector and passed a resolution on the 21st April 1891 to that effect. But before the Secretary of State was made a party to the legal proceedings in the High Court the suit between the Wadias and the Sassoons was compromised by mutual agreement and the points at issue remained judicially undecided.

On the 26th June 1895 the executors of Mr. Cursetji Nowroji Wadia made a petition to Government requesting consideration of the following points :—(1) That the terms of the grant were quite explicit and gave the grantees authority to charge assessment from time to time on the same scale as might be fixed by Government for similar lands, (2 that some time after the grant was made Government having reduced the rate of assessment on their Toka lands the Inamdars were obliged to do the same as regards their own lands, (3) that the tenants of the land were all entered *not* in the Collector's books but in their own, (4, that in the villages in the Thana District of which grants were made in a similar way they raised the assessment and were receiving it from the tenants without any objection, (5) that Government in reassessing their own lands *excluded the land* covered by the Indenture, and (6) that it was clear from the grant that it was never the intention of Government to create a *favoured class of ryots* enjoying their lands on the payment of a fixed rent far below that paid by other ryots. To this petition Government sent the following reply :—" Government without foregoing any claim the

public exchequer may have to the amount by which the assessment may be enhanced have no present intention of recovering that amount on their own account or of interfering with the recovery of it by the petitioners." A further reference was made by the Collector to Government on the point of the Government claim over the Inam lands under acquisition for the City Improvement Trust. Government, in April 1909, directed that no claim on the part of Government should be made in respect of land held as Inam by the Lowji family under the grants of 1783 and 1828.[1]

Farming of leases was common in early years, but regular leases began to be executed in 1758. Leasehold land is held under various conditions and for terms varying from 21 to 999 years. Leases may be divided into (1) Old Leases and (2) New Leases: the former being those granted prior to the year 1894; the latter, subsequent to that year. Old leases may be conveniently classified under (*a*) Byculla (Mazagon) Leases, (*b*) Colaba Leases, (*c*) Kamathipura Leases, (*d*) Leases on the verge of the Esplanade, (*e*) Esplanade Leases, (*f*) Bombay Leases and (*g*) Port Trust Leases.

The Mazagon or Byculla Leases were granted between the years 1758 and 17[illegible]6. They were all for a term of 99 years; some were renewable; others were not renewable. In addition to the yearly rents reserved under the leases the lessees were obliged to pay a certain fine every 21 years. These leases contained a special stipulation for the treatment of such improvements as might be in existence at the close of the lease. The lessor agreed to make good to the lessee half the real value of the buildings, trees and improvements of whatever kind. The renewable leases could be renewed on payment of certain fine or premium. When the non-renewable leases fell in at the end of the term of 99 years, some of the holdings were resumed and taken possession of by Government, while others were allowed to remain with the lessees on payment by them of half the value of

[1] The wording of the Inam grant of 1885 being clear, no orders on this point were applied for.

improvements. Fresh 99 years' leases renewable at revised rents have been granted.

Colaba leases.

The Colaba leases were introduced in 1824. In August 1822 Government appointed a Committee consisting of the Collector of Bombay, the Revenue Surveyor and the Company's Solicitor to consider the nature of the leases which should be granted in respect of the lands in Colaba. The Committee in their report of November 1822 after defining the limits of the Military Cantonment recommended that the lands outside these limits should be exempted from the Military Regulations of 1793 and that the occupants thereof be granted 21 years' leases, renewable upon payment of a fine of Rs. 100 at a uniform ground-rent of 3 reas per square yard per annum. The Committee's recommendations were approved by Government.

In 1836 the Court of Directors expressed an opinion that it was expedient that Government should retain the ground on the island of Colaba in its own possession. The Government of Bombay submitted that there would be many applications from private individuals for vacant spaces and they should be authorized to grant lands on the terms on which lands within the Engineer's limits were granted, *viz.*, on payment of the established ground rent of 6 pies per square yard with the right of resumption on the part of Government at any time if required, without any compensation. This authority was given by the Court of Directors in May 1838. We thus find in Colaba 2 kinds of leases, renewable every 21 years—the one permanent, paying 3 reas per square yard; the other resumable when required, paying 6 pies per square yard.

Kamathipura leases.

The Kamathipura leases appear to have had their origin in a Government letter to the Collector, dated 24th July 1844, prohibiting the issue of sanads,[1] and expressing the opinion of the Governor in Council that no Government ground should thenceforward be given except under leases for a certain period of years. The form of the lease was settled in consul-

[1] See account of Sanadi lands.

tation with the Advocate General and approved in August 1846. These leases were 21 years' leases, renewable at revised rents. The lands were put up to public auction and leased to the highest bidders, the rents at the outset being reserved at 6 pies per square yard.

Leases on the verge of the Esplanade were granted in 1855 under the following circumstances. The Court of Directors had authorized the local Government to dispose of the irregular plots of ground on the northern verge of the Esplanade in the manner best calculated to promote the interest of the public. These irregular plots were consequently made over to certain parties in 1835 on condition that "nothing more durable than temporary wooden sheds should be erected thereon, and that the ground should be resumable at pleasure without compensation." These terms were not however specified in the sanads under which the grants were made. In 1851 it was discovered that on some of these plots permanent structures had unauthorizedly been erected. Government therefore ordered the resumption of these plots. On 26th September 1853 the Collector reported to Government that the occupants had surrendered the lands to him by a writing which was considered to give Government the legal possession thereof. In the same report however the Collector recommended that the spots in question might be let on terms which would admit of their being occupied by permanent buildings. A form of lease was finally devised and approved of by Government. The right of occupancy of the plots in question was sold by auction to the highest bidders. Some of the occupants who had erected permanent structures were allowed to retain their plots on payment of certain price. These leases were for a term of 21 years, renewable at revised rents. They provided that in the event of the lands being required by Government for any public purpose (as to which the Government alone were the judges) it should be competent for them to resume the same by six months' notice in writing, on payment however of the price paid by the lessees for the right of occupancy in addition to the value of buildings and improvements which a Committee of two or more persons

to be appointed by Government were to decide. They also bound the lessees to build substantial buildings within two years from the dates of the grants, the elevation on the south side having been first approved by Government.

Esplanade leases.

The Esplanade leases are the only proper building leases in existence in Bombay. They run for 999 years and are not renewable. They were framed between the years 1863 and 1865 on the model of London leases. In 1861 Government appointed a Committee on the subject of the land fortifications of the island of Bombay. This Committee recommended the demolition of the existing ramparts and the turning of the ground set free to useful and profitable account. The Committee's recommendations were approved by the Secretary of State in the following orders of June 1862:—" After reserving what will be required as sites for the new forts and what must be kept clear round the forts there will remain a considerable area available for building and other purposes.........Whatever plan be adopted ought to be one comprehending all the several plots of new ground about to be acquired in different situations whether by reclamation or by demolition of the ramparts, so far at least as it is intended that building shall extend. No building lots ought to be sold or otherwise disposed of, until not only the general arrangement, but also the style and character of the buildings to be erected shall have been carefully considered and a comprehensive plan shall have been matured in conformity with the conclusions arrived at. In framing such a plan regard should be paid not merely to the accommodation and convenience of the public and of individuals, but also in some degree to architectural effect. An opportunity not likely to recur will now be afforded of building almost a new city in the island of Bombay, and it may become a permanent subject of national reproach if due advantage be not taken of the occasion." In November of the same year Government appointed (1) an Executive Committee to consider and propose definite plans for the construction of roads, for a complete system of drainage and water supply, and for the appropriation of the space available for buildings

and (2) a Consultative Committee who were to offer their own remarks on such proposals. The Executive Committee was known as the Rampart Removal Committee. A list of the public buildings which were urgently needed was made and after having selected suitable sites for these, the Committee recommended that none of the ground be disposed of in fee-simple but in leases of 99 years. They further recommended that the form of the leases should be obtained from England. The form of the leases was however settled by the Rampart Removal Committee in consultation with the Solicitor to Government and approved by Government in July 1864 and the term was fixed at 999 years. The lessees were to erect within three years from the date of agreement substantial and workmanlike buildings, the plans and elevation of which were to be approved by Government. To secure the reversion of the buildings at the end of the term of the lease the lessees were to keep the buildings in sound repairs and to insure their buildings and in case of fire or other accident the buildings were to be rebuilt to the satisfaction of Government.

Bom lease

Bombay leases relate to lands in various parts of the sland. They are granted for terms varying from 21 to 99 years. These were granted on payment of the market value of the occupancy right as ascertained by auction sales together with a nominal yearly rental. They are renewable either on payment of fine or on revision of the yearly rental. These are not building leases and contain no stipulation either as to building or as to keeping buildings in repair.

Among the Bombay leases will be found a class of lease which has recently attracted the particular attention of Government, namely leases of lands on the Narayan Dabholkar road. These relate to 17 plots of land on that road and are all dated the 18th April 1854. They originated in the division of a large plot of land containing 1,20,000 square yards granted to the late Framji Cowasji under an indenture of lease of the 21st June, 1839. Framji Cowasji died in 1851 and his widow Bai Bachubai applied to Government for leave to divide the land into a number of holdings. She was permitted

to do so, and also to add about 18,900 square yards of land on the sea side on the same terms as the original holding. The original lease of 1839 was therefore surrendered and 17 separate leases were executed in its stead. These are all 99 year leases renewable on the same terms, but reserving to Government a right to resume the land whenever required for a public purpose on payment to the lessee of the value of buildings and improvements, which value has to be determined by a committee appointed by Government. The resumption of some of these lands for the purpose of providing sites for bungalows for Government officials has been for some time under the consideration of Government.

Port Trust leases.

Port Trust leases are leases of lands on the Mody Bay, Elphinstone Estate and the Apollo Reclamations. They are leases for a term of 50 years, renewable at the close of the term for such further period and at such yearly rent as may be then agreed between lessor and lessee. There is no initial payment. The sole charge is a yearly rental rising at the end of the first and again at the end of the second term of 10 years. The rates during the different terms are approximately fixed at a 4 per cent. return on the estimated value of the land. If he objects to a renewal at the close of the 50 years, the lessee is at liberty to remove any improvements within 6 months after the expiry of the lease. In the Mody Bay leases the lessors on paying full compensation for improvements reserve the right of resuming the land on 12 months' notice. The Revenue is collected by the Bombay Collector and the whole of it is paid to the Port Trust.

New and renewed leases.

In 1889 Mr. Charles, then Collector of Land Revenue, pointed out to Government the general inadequacy of the rents levied on lands in Bombay, and suggested an increase wherever possible in the assessment so as to bear some proportion to the increased value of the land. To give effect to Mr. Charles' proposals and to settle the policy as regards the future assessments or new grants of Government land Government appointed in March 1891 a Committee consisting of the Collector of Bombay, the Superintending Engineer and the Solicitor to Government to consider and report on (i) the terms for which leases

should be granted and (ii) the principle on which the ground rent should be determined. This Committee made its report in February 1892. After giving a short summary of the existing leases the Committee divided their proposals under the following heads :—(1) the disposal of occupancy rights ; (2) the fixing of ground rent ; (3) the term of the lease ; (4) the renewal of the lease ; (5) the treatment of improvements, and (6) architectural stipulations.

With reference to the first point the Committee stated that the best mode of disposing of the occupancy right when the value of it was not known was by an auction ; while tenders were best suited for the disposal of larger and valuable areas. They further suggested that the amount taken as ground rent should be limited to a rent which represents two-thirds of the full value of the land, and that the remaining one-third or any additional amount which the competition among tenderers or at an auction sale may secure should be realized in a lump sum at the time of transfer as initial fine or occupancy price. As regards the ground rent they suggested that 4 per cent. should be fixed as the maximum ground rent. "It has been contended" they observe "that 5 per cent. may fairly be levied. We incline to think 4 per cent. is as much as can at present be safely taken. The Collector's experience is that over considerable tracts in Matoonga, Sion and Mahim, land even with houses does not yield more than 3 per cent. on its market value. The rise to 4 per cent. though both justifiable and advisable was a serious addition to the burden on many lands from which with the object of attracting settlers Government had hitherto levied almost nominal rents."

The Committee disapproved any increase in the rents during the term of the lease "as such an arrangement practically reduces the term of the lease to the term of revision" and were in favour of a fixed rent during the currency of the lease. The terms of the leases were fixed at 99 years in the case of lands (*e.g.* in Fort) where on general considerations architectural conditions were to be enforced. In the more outlying parts where no conditions in excess of the Municipal Building rules were

necessary a 50 years lease was considered sufficient. As regards arable land seeing that no capital is invested in it and that the land may at any time be required for building a 10 years' occupancy guarantee was considered to be a sufficiently long term. The renewal of the lease was recommended by the Committee only in the case of 50 years building leases and these too only once. As regards the revised rates to be introduced at the close of the original lease the basis of a maximum of a 4 per cent. return on the value of the land at the time of renewal was recommended.

In the treatment of improvements the Committee recommended that the stipulations for repair and resignation should be insisted on in the case of 99 years leases but in the case of lands held on 50 years building leases no such stipulations should be made and that at the close of the term the lessee should not be prevented from removing his improvements. The proposal that Government should take over improvements at a valuation was found open to the objection that in times of depression Government might be saddled with properties inconvenient to pay for and still more inconvenient to manage. As regards architectural conditions Government leasehold land was divided into two classes :—(*a*) Important sites where a special style of building is required, (*b*) other sites. Under class (*a*) came the Esplanade, Marine Lines, and Chaupati estates. For lands of this class the architectural conditions in force in the Esplanade leases subject to certain modifications were recommended to be continued. For all other sites the Municipal building regulations were considered a sufficient security against the erection of insecure or unsightly tenements.

The recommendations of the Committee were approved by Government with the modification that the amount of annual rent per square yard should not be less than one-third and not more than two-thirds of the estimated value as this would give a safe rental and would leave a sufficient margin for competition. The Solicitor to Government was asked to submit in consultation with the Collector forms of the different leases for the approval of Government which he accordingly did. The two forms

prepared by him were approved by Government in February 1894. They are the basis of the new leases granted subsequent to the year 1894 and are now (1909) in use in the Collector's office. New grants of lands under leases are made in either one or the other of these forms. The lessee has to pay all costs of the Government Solicitor for the preparation of the lease including stamp and registration fees.

Newly Assessed.

This tenure has its origin in Bombay Act II of 1876. The Revenue Survey of 1872 discovered numerous encroachments on Government lands more especially on lands contiguous to the Inam lands granted to the Wadia family. When the Act was passed these encroachments[1] were all assessed by the Collector under Section 8 and converted into lands newly assessed. This tenure also comprises land granted from time to time to private individuals, after the passing of the Act on payment of an annual rental fixed under Section 8. The circumstances of all grants however do not appear to be alike. In some cases Government waste lands yielding no revenue to Government and situated in such localities as Mahim, Dharavi, Sion, Matunga and Naigaon were assessed and granted on payment of an annual assessment. In other cases the right of occupancy was sold by public auction on payment of a yearly rent subject to revision every 50 years; while in other cases lands were assessed and converted from leasehold to newly assessed, in consequence of some leases (mostly in Kamatipura) having expired and the lessees being unable to bear the charges of the Government Solicitor for the preparation of the new leases, the lands being less in worth than the Solicitor's charges.

In 1889 proposals were for the first time submitted to Government by the Collector for enhancement of assessment upon these lands. The Advocate-General, to whom

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[1] In 1839 Mr. Bruce brought to the notice of Government some encroachments made by the Inamdars on the adjoining Government lands. The encroachments discovered by him were to the extent of 173,040 square yards. In 1872 Major Laughton discovered a still larger difference. The area discovered by him and brought under assessment was 241,966 square yards. The assessment was made at the uniform rate of one pie per square yard except in a very few cases where it was reduced to half that rate.

the question was referred for opinion, declared that there should not be any specific limit to assessment in the case of these lands except so far as it had been created at the time of the assessment. Mr. Spence remarked in a letter of 5th December 1889:—"Regarding these lands I would make the following proposals. I would give the holders of all such lands notice that their present assessment will be guaranteed only up to and including the year 1900, when it will be liable to revision, such revision being based on the rent of similar land at the time. I would guarantee the revised assessment for a period of 30 years, as in the mofussil, when a second revision would take place. If 30 years is considered too long a period of guarantee in a prosperously increasing city, it might be reduced to 21 but I should not advise any shorter term. In the case of any lands that may be newly assessed between this and 1900 a special condition should be made that the assessment will only last till the latter year, when the general revision will take place. The same precaution should be taken with regard to any lands newly assessed during the period of any future guarantee."

Mr. Spence's proposal was approved by Government; but before carrying it out Mr. (afterwards Sir James) Monteath who had succeeded him asked Government to modify their orders as regard (1) the term of guarantee and (2) the rate of assessment. Mr. Spence had proposed leases for 21 years. Mr. Monteath thought the term too little and proposed 99 years. Mr. Spence considered that Government was entitled to as much as 5 per cent. of the value of the land. Mr. Monteath considered 4 per cent. was adequate. Government thought that the points raised by Mr. Monteath were very important and therefore appointed a Committee consisting of the Collector of Bombay, the Superintending Engineer, and the Solicitor to Government to consider them. The Committee came to the conclusion that a system of fixing the ground rent at 4 per cent. return on the market value of the land should be maintained. The term of guarantee was not specially discussed by the Committee with reference to these lands.

The proposals of the Committee were accepted by Government almost without modification by the middle of

1893. From 1893 till 1898, however, owing to the predominance given in the Committee's report to other subjects the enhancement on these lands was left unnoticed when in the latter year the attention of Mr. Morison, the Collector, was drawn to this subject and he at once asked permission to give effect to these proposals. The original proposal as approved by Government with regard to these lands was to give notices to the holders that the present assessment on their lands would be guaranteed only up to the year 1900, when it would be revised and the revised rental guaranteed for 30 years in the outlying and 50 years in central localities. But this was not possible in 1899 and instead of making the revision of rents commence from 1900, the Collector made it commence in some cases from 1st September and in others from 1st October 1899. This assessment of lands which had been guaranteed at the dates of the grants was of course not disturbed. The revised assessment was fixed on a 4 per cent. basis. The effect of the revision was an increase from Rs. 3,122-6-2 to Rs. 20,659-3-6. The area covered by this tenure is 3,06,810 square yards. The right of Government in lands of this description are too clearly defined to need any elucidation. Although the lands were primarilyGovernment lands theright of resumption has been lost to Government ; but the assessment is liable to revision at the end of the period of guarantee.

The lands held under sufferance are situated in Mazagon, and their history is comprised in the history of the Mazagon Estate, which is briefly as follows :— Sufferance

By a Patent signed at Goa and dated the 18th of January 1572, the village of Mazagon was given to Lionel deSouza and his heirs for ever, Lionel deSouza paying every year (quarterly) 195 pardaos and three silver tangas (6½ double pice each). The said village was not however to be sold, exchanged or alienated without a license from the King of Portugal or his Viceroy in India ; nor was it to be divided, but was to be managed by one person.[1]

By another Patent, dated 3rd June 1637[2], it appears that the management of this village was made over to Ruy

[1] See also footnote 1 on page 39 of this volume.

[2] The Patent bears a note to the following effect "Manacji Navroji hill, the oart Charney and Worli are part of this estate."

deSouza on the 29th July 1632, and therein it was declared that as the said Ruy deSouza had no other son but Bernardy deTavora, the King of Portugal confirmed him, provided he did not deprive the other heirs of Ruy deSouza in their right, nor sold, gave, changed or divided it in any manner whatsoever.

Christovao deSouza deTavora was in possession of the Mazagon Estate when the Company took possession of the island of Bombay. The property eventually devolved on Martino deSilva deMeneza and his wife who being at Bassein in 1731 appointed Visso Sinoy, their attorney at Bombay, empowering him to sell the Mazagon Estate, which he did on the 3rd August 1731, in the following portions:—$\frac{1}{2}$ Share to Antonio deSilva, $\frac{1}{4}$ Share to Antonio deLima, and $\frac{1}{4}$ Share to Shankra Sinoy.[1]

In 1736, D'Silva sold his half share to the other two, who executed two mortgage bonds to the Company, one dated 2nd June 1738 for Rs. 5,500 and the other dated 1st August 1738 for Rs. 2,800-2-0. But prior to this the said proprietors of the Estate had in 1736 executed a mortgage bond in favour of Lalchand Bhowanidas and Amichand Goculdas. In consequence of the earlier mortgage and on their applying to the Mayor's Court, these two mortgagees were empowered by the Court to enter into possession of the Mazagon Estate. Lalchand Bhowanidas, being in debt to Mr. James Dalrymple and others, a suit in the Mayor's Court was brought against him by the latter who were put in possession of the Mazagon Estate and were empowered to receive the rents and profits thereof. They accordingly let it out to Mr. Richard Nowland and William Lane for Rs. 2,290 per annum for a term of 9 years commencing from 11th February 1749. Lalchand found means to settle his differences with Mr. Dalrymple and his partners, but the lease to Messrs. Lane and Nowland continued till the expiration of the term, except that Mr. Lane withdrew with the permission of the Court in 1751.

[1] Although the deed of sale mentioned two persons as purchasers, the division of the estate was threefold as shown above and was made by private agreement.

In January 1758 when the lease of the Estate was nearly expiring, Government directed a Committee consisting of Messrs. Crommelin, Sedgwicke and Byfeld to make a petition to the Mayor's Court on behalf of the Honourable Company, and make a claim to the Mazagon Estate on the ground that besides having a considerable mortgage on the Estate they were the Lords proprietors in consequence of the island having been made over to them by the King of Portugal and that the first proprietor had never any right or authority to sell or alienate the Estate. A petition, dated 7th February 1758, was accordingly made to the Mayor's Court. The Company claimed to be the just and legal proprietors of the Mazagon Estate by virtue of the original Patent, copies of which were obtained from the Court of the Recorder at Goa. They further claimed to be put in possession of the Mazagon Estate, and desired that Lalchand Bhowanidas—the prior mortgagee—should be called on to give an account of the Estate since the date he came into possession of it, and to refund the amount which he had received from the Estate in excess of what he had a claim to.

The Mayor's Court gave the following orders :—"Read a petition from the Hon. The President and Governor and Council in behalf of their Hon. Employers, the United Company of Merchants of England trading to the East Indies, praying to this Hon. Court to put them in possession of Mazagon Estate and they appearing to this Hon. Court in their petition to be the prior mortgagees and no other demand appearing on the said Estate, the Court have thought proper to permit the said Governor and Council Constituents for the Hon. Company to take possession thereof and the Registrar is ordered to give public notice to all persons who may have any demands on the said Estate to lay in their several claims by next Court day and likewise write to Mr. Nowland to render to this Hon. Court particular accounts of all sums he has paid to Lalchand's widow since renting the said Estate and to order her to send her accounts current, with this said estate since her first taking possession thereof, and to summon Antonio D'Lima and Sancra Sinoy to appear before the Hon. Court next Court day."

A precept to the Sheriff to put the Honourable Company in possession of the estate on February 13th, 1758 was issued on 10th February 1758.

The Collector was directed to take charge of it in the name of the Hon. Company from Mr. Richard Nowland.[1] He was also asked to be prepared for farming the Mazagon Estate by auction in small parcels. In May 1758, the Collector informed Government that it would be more for the Hon. Company's interest to farm the whole to one person, and stated that Antonio deLima and Pandu Sinoy, who called themselves the proprietors of the Estate, refused to deliver into his charge such part of the Estate as was reserved for the support of a Church built on the Estate. He recommended a grant of 15 mudas of batty every year to Antonio deLima and Pandu Sinoy each to support themselves and their families as such a reservation was allowed by the Mayor's Court during the previous lease to Messrs. Nowland and Lane. On the Collector's recommendation the Board resolved to let out in one lot for 5 years the whole of the Mazagon Estate, except that part which they had

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[1] The right of Government to the Estate was twice questioned. In 1767 the Mayor's Court asked for a statement of the Honourable Company's mortgage demand on the Estate but was informed that the company held the Estate as Lord Proprietors and that they were put in possession of the estate by a precept of the Court in 1758. The dispute again arose when Ganpat Pandu Sinoy applied to the Mayor's Court in 1793 for restitution of the Estate. Decrees and orders were passed by the Mayor's Court and the Recorder's Court but finally the dispute was settled by arbitration. The claimants acquiesced in the nomination of the Recorder, Sir William Syer, as the sole arbitrator. Sir William Syer, in accepting the offer desired that Messrs. Atkin and Halliday should join with him as arbitrators and that counsel on both sides should attend before him before the award was determined. Sir William's wishes were acceded to.

Sir William Syer died before the award was made. The award was published by the other two arbitrators on 24th December 1802, the main clauses being (1) the Company to pay Rs. 50,000 in treasury notes bearing interest at the rate of 9% and 15,000 in cash to the claimants, (2) the Company to pay Rs. 8,000 for costs of the suit, (3) the Company to convey to the claimants the ground known as the Pomkenney house, (4) each party to pass a release to the other. The Company's Solicitor was instructed to prepare the general release and the deed of conveyance, which were duly approved and executed. The Company having now acquired a complete and indefeasible title to the Mazagon Estate Government ordered a survey to be made and appointed Lieut. Goodfellow to carry it out.

agreed to lease to Mr. Samuel Hough for a term of 99 years,[1] and directed the Collector to apply to the Mayor's Court for being put into possession of that part of the Estate which was withheld as being reserved for the Church, and rent it out with the rest of the Estate.

On the 12th May 1758, the Board repaired to a tent near the Bandar to let out the Mazagon Estate, conformable to their previous Resolution of May 1758. They agreed to allow a grant, as recommended by the Collector, of 15 *mudas* of batty to Antonio deLima and Pandu Sinoy every year. In their last consultation the Board had decided to let out the estate for five years. But at the instance of some of the bidders they considered it desirable to extend the term to 9 years. The whole of the Mazagon Estate (excluding that part which was leased to Mr. Samuel Hough,) the Mark House and the Pomkenny House[2]) as well as the Church batty grounds (the Mayor's Court having since put the Collector in possession of them), having been put up to auction it was again rented by Mr. Richard Nowland for Rs. 2,200 a year. The oart of Churney, which formed an appendage of the Mazagon Estate, was separately let to Maneckji Limji and two others for Rs. 640 a year.

This procedure of letting out the Mazagon Estate in one lot was disapproved by the Court of Directors in England who in their despatch of 25th April 1760 observed "The leasing of Mazagon in one lot we judge contrary to our interest. Experience should have convinced you of this as the farming out our oarts in small lots in 1752 produced us a duplicate profit. We therefore direct that in future you attend to this and branch into small parcels whatever will admit of it, for a large purchase will always bring on a combination. We also forbid the sale of our property by valuation. Let everything belonging to us be always sold to the best bidder at public outcry and after a proper notification."

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[1] Samuel Hough had built a country house and out-house on a certain part of the estate, the annual produce of which was valued at Rs. 845. A lease for a term of 99 years was granted to him on his paying a fine of Rs. 50 at the expiration of every 21 years.

[2] The Mark House and the hill were leased to Byfeld and the Pomkenny House and the garden belonging to the Mazagon Estate were leased for a term of 99 years to Captain C. Pemble.

On the expiration of the term of 9 years of Mr. Nowland's lease in 1767 the Mazagon Estate with the exception of certain parts resumed for public purposes and some granted on leases for 99 years was divided into six lots, and was separately let for a term of 14 years from 12th May 1767 as follows :—

1st Lot	Nowghar including Ghorap Deo to Framji Hirji Mody for	Rs. 845
2nd ,,	Mattarwadi including Bhoycalem (Byculla) except the mango tree generally known by the name of the Governor's Mango tree, and the ground let to Mr. Andrew Ramsay and one *muda* of batty ground allowed to the mahatara for his pay to Dadabhoy Maneckji and Dhunji Poonja for	,, 410
3rd ,,	Koliwadi Surji to Raghushet Goldsmith, for...	,, 340
4th ,,	Bhandarwadi to Maneckji Limji and Bhimji Ramshet, for	,, 500
5th ,,	Mazagon-Koliwadi to Raghushet Goldsmith, for	,, 640
6th ,,	Charney to Mungaji Vissaji, for ...	,, 715

These farms expired in the year 1781 and were relet for a further term of 14 years on the 4th May 1781 with the exception of some portions leased for a long term. The farms were let as follows :—

1st Lot	Nowghar to Mr. A. Nesbit, for	Rs. 1,200
2nd ,,	Mattarwadi to do. do.	,, 900
3rd ,,	Koliwadi Surji to Rustomji Maneckji, for	,, 990
4th ,,	Bhandarwadi to do. do	,, 805
6th ,,	Charney to Mahiman Hussen Carooji, for	,, 307

The 5th lot of Mazagon Koliwadi was leased for a long term to Mr. Watson's Executors for Rs. 581, but in 1793 the farm was resumed for a forfeiture and relet to Dorabji Rustomji Patel from 1st August 1793 for 2 years and 9 months for Rs. 981.

A question having arisen between Government and Mr. Nesbit, the farmer of Mattarwadi, concerning the use of Byculla plain, which was required for artillery practice, Mr. Nesbit relinquished his farm of Mattarwadi in September of the same year. The causes which led to the relinquishment of the other two farms of Koliwadi Surji

and Bhandarwadi are not known. The four farms thus relinquished were relet for a term of 14 years commencing from the 31st January 1782. The lot Mattarwadi was resumed in 1788 from the farmer for his failure to pay rent. After appropriation of a part of it for the Powder Works it was let to Mr. Nesbit on a 21 years' renewable lease at the rent of Rs. 165-1-5 per annum.

In 1796 the old leases expired and fresh ones were issued for a term of 14 years. There was an increase in the bid of every lot and they were all let for Rs. 4,528 against Rs. 3,377. The relations between the Kunbis and the farmers had not been cordial since the farming system was introduced. The old Kunbis were the descendants of the Portuguese Abunhados, an indigent race of husbandmen who were annexed to the soil by the Portuguese landlords with a base tenure of the "Emphytintee" kind which had by sufferance grown into a sort of customary freehold but purely at the will of the lord who suffered their "varges" or batty fields to be transmitted by descent in their families but would not permit their being sold or transferred. These Kunbis were protected from unreasonable and oppressive exactions by the farmers, by a variety of covenants made expressly for their security. In the lease to Mr. Richard Nowland in 1758, one principal stipulation was that he should not force the Kunbis to cultivate more of the batty ground than they had done nor to pay him more than the fixed toka on what they cultivated. This stipuiation was transcribed in the leases of the succeeding farms. Whenever any complaints of abuses or oppression by the farmers were brought to the notice of Government they were enquired into and the farmers were directed to remedy the abuses and abide strictly by the tenor of the leases. On the other hand the Kunbis did not remain faithful and made room to new comers, being gratified by a small compensation made to them either by the farmers or by the incoming tenants. When the leases of 1796 were given few old Kunbis could be found on the estate. The farmers in gradually admitting these new comers had resigned to them the benefit reserved to them (farmers) in one of the articles of the leases, which was :—That at

the expiration of the contract the said farmer shall deliver up the said farm in the like good order and condition in which he receives it or make good the difference the Company previously making good to the farmers half the real value of all improvements to be estimated by the Vereadores or Mhataras or other proper persons appointed for that purpose.

This was construed by the farmers to entitle them or their assigns at the expiration of their farm to have a compensation paid them by the Company in money, equivalent to half the value of all improvements made during their term not only in point of culture and plantation but likewise of buildings, fences, &c. This claim on the Company the farmers assigned to the new tenants who for the most part were the authors of what were considered to be the improvements to be paid for and who were the only occupants of the whole of the land except the parcels granted therefrom on a more permanent tenure. The new farmers who took the leases in 1796 considered themselves in nowise bound by the agreements between their tenants and the old farmers because the latter could grant no tenure to bind the Company beyond the term of their own contract. The new tenants refused to pay more than the fixed rent agreed upon with the old farmers and insisted that they were not bound to render to the new farmers any more than the ancient toka fixed on the grounds they occupied and that Government could not grant to a new farmer any profit or benefit from their improvements until the Company had made good the stipulated compensation.

In consequence of these circumstances the Company was deprived of the rents of the three farms for nearly two years and a half from January 1796, the new farmers refusing to pay their rents on the plea that they were not put in possession of all the land lying within the compass of the estate, with everything standing or growing on them, by means of a Vereadore's survey which, they considered, would have the effect of dispossessing and ousting all persons who held by license or agreement with the preceding farmers. The Collector consulted the Company's Solicitor as to the best way

of recovering arrears of rents from Wasudeo Mukundji and Raghunath Dadaji, the farmers of Bhandarwadi and Koliwadi Surji. The Company's Solicitor replied that the best way of recovering the arrears of rents was by a suit in the revenue judicature. A local survey was made by the Vereadores and Mr. Constable was asked to file a suit in the Revenue Adalat against Wasudeo Mukundji for arrears of rent which amounted to Rs. 3,740. The action was on the covenant for the payment of the rent; the defendant pleaded that he owed nothing because he had not the possession of the estate given to him; the contention of Government being that he either neglected to enter or wilfully suffered the possession to remain vacant when due means were given him to enter. It was further urged that all tenants on this farm were present at the action and that the farmer had actually demanded rent from them who offered to pay him the usual rents. He wanted to assess the tenants at unusual and exorbitant rates and because they disputed his right to do so he represented to the Collector that he was not put in possession of the estate. The Collector had by a letter dated 26th July 1801 ordered the out-going farmer to put Wasudeo Mukundji in possession. The Collector also sent an order of the same date to the Vereadores and Mhataras to survey the farm which Wasudeo Mukundji had entered upon and to ascertain the boundaries thereof. The suit was decided in favour of Wasudeo Mukundji, the Court having considered as proved that he had not obtained the benefit to which he was entitled. From this decision Government appealed to the Sadr Adalat Court. Under these circumstances and while the appeal to the Sadr Adalat Court was pending Wasudeo Mukundji offered in a letter addressed to the Collector on 15th June 1801 to relinquish his farm and asked to be released from his engagement.

With regard to the other farm of Koliwadi Surji the Collector called upon the farmer Ragunath Dadaji to pay arrears of rent or in case of non-payment to know if he also wished to relinquish his farm. Ragunath Dadaji replied that he accepted the latter and offered his resignation. The Collector recommended the acceptance of

the relinquishment of the two farms, and in so doing stated that he could with very little trouble collect the rents from the under-tenants. The resignations of both the farmers of Koliwadi Surji and Bhandarwadi were accepted by Government. The Company's Solicitor was asked to withdraw the pending appeal in respect of the arrears of rent from Wasudeo Mukundji. The Collector was then asked to report to the Governor in Council as soon as possible what amounts he would collect from their under-tenants for arrears of rent as due for several years back, and what terms he would be likely to obtain from them for being suffered to retain their respective occupancies.

This report does not appear to have been submitted by the Collector, probably because of the pending appeal in the suit brought against the Company by Trimbak and Pandu Sinoy[1] and the intended survey of the whole estate: for in February 1803, while supporting Mr. Hall's suggestion for a survey, the Collector, Mr. Simpson, said that it should be immediately undertaken by a professional officer 'in order that the various parcels of estate on lease and those held by the tenants-at-will might be exactly defined, as well as the nature of the soil; and, in fact, every particular laid down which would tend to give a clear view of the state of the property," as such a survey would enable the Board "to determine on the most advisable means of turning to the best accounts a large parcel of the estate in the possession of the tenants-at-will," and held by them at exceedingly low rates. As has been already noticed above, a survey was ordered by Government on the 5th of April 1803. Lieut. Goodfellow being appointed to take charge of it. But whether this survey was undertaken at all is not known. Most probably it was not. The reason of this does not appear. It was not till 1824 that we have an authentic survey of Mazagon. This survey of 1824 was undertaken and finished by Captain Dickinson. On the 20th July 1804 the Board again called upon the Collector to report what the occupying tenants would consent to pay,

[1] See page 394.

and what measures he had pursued in accordance with the Resolution of Government on the occasion of allowing the farmers to give up their leases and directed him in the meantime to collect the full revenue of the allotments of ground in these farms. On the 26th idem, the Collector reported that there was due by the farmers five years' rent amounting to Rs. 8,675 out of which he had recovered the greater part from the local occupants, amounting to Rs. 5,861-3-90, thus leaving a balance of Rs. 2,813-0-10 which he considered as irrecoverable, and deemed it unnecessary to take any further steps towards the realization of the outstanding balance. The solution of the last query "what terms he was likely to obtain from the tenants for being suffered to retain their respective occupancies" in the Board's letter is in Captain Dickinson's report of September 1824. In it he says that the management of these farms (Bhandarwadi and Koliwadi Surji) was since 1801 in the hands of the Collector, and in the reference book prepared by him in connection with his plan of the Survey of Mazagon these lands are stated to have been held of Government "on sufferance since 1801".

The farming system being discouraged and disapproved[1] by the Court in 1810, the farms of Nowghar and Mazagon Koliwadi also which expired on the 30th April 1810 were taken out of the hands of the farmers and placed under the charge of the Collector with

[1] The farming system was disapproved by the Court of Directors who in their despatch of the 10th of January 1810 expressed the following sentiments:—"The farmers of the revenue have an interest distinct from that of the sovereign and at variance with that of the subject; distress of the contributors can never move them to a relaxation of their demands and for the character of the Government, they probably neither feel nor care. The consequence of this system generally is that to raise a moderate sum which finds its way to the Treasury, the public are subjected to enormous contributions. In the administration of a new settlement the system of farming the revenue we conceive to be particularly impolitic. It keeps the Government and the subject at a distance, and establishes a medium of communication between them degrading to the one and oppressive to the other. The former thus disposes of its power to dispense with numberless little acts of grace and liberality which cost little and are worth a great deal, and the latter in paying the imposts levied upon him has not the consolation of thinking that what he takes from his private will go into the public purse, and that the community gains in a just proportion to his individual sacrifices."

particular instructions to him to attend to the improvement of the revenue derivable therefrom. (The lot Charney had already been resumed by Government for the extension of the Esplanade.) The lands in Nowghar and Mazagon Koliwadi were portioned out for building sites and a tax of 11 reas per square yard was levied on them. This rate of 11 reas being the same as was levied on the "quit and ground-rent" lands in the other parts of the island, these lands have come to be looked upon as held under that tenure, although there is no authority for considering them as such.

To return to the "Sufferance" lands (Bhandarwadi and Koliwadi Surji), these are reported by Captain Dickinson to have consisted of 36 Survey Nos. comprising an area of not less than 4,95,190 square yards, "in some of which rather expensive buildings had been erected". "Regarding this tenure," he says, "I have little to add to what is contained in the late Mr. Constable's report and is elsewhere abundantly on record, declaratory of the Company's proprietary right at any time to resume this ground on payment to the occupants of half the valuation of any sanctioned improvements." Although we are ignorant of the actual terms which the Collector was able to obtain from the tenants, we can get some idea of the manner in which the assessment on these lands was fixed from a letter from Collector Williamson, dated 1st August 1811, addressed to Government in connection with the Nowghar and Mazagon Koliwadi lands, in which he observes—"This system of taxation* was, in my opinion, founded upon a much more equitable principle than that which had been heretofore practised in as far as it caused ground of similar value to pay similar rent; whereas, according to the old system, one, for instance, would pay perhaps double the rent that his neighbours paid upon land of exactly equal value. For the rent was not levied according to measurement but paid so much for the plot; and though at its first adoption it probably was a fair mode of taxation, as no doubt the rent was assessed according to the value of each spot of ground at that time."

* 11 reas per square yard.

This is further exemplified by the following extract from Dickinson's report :—" As these lands were originally batty fields, to which parcels of *bhat* or grass ground of unequal extent were attached, a rent equivalent to the ancient Toca and in some instances to what it progressively attained from the substitution of vegetable culture during the farming system is all with which they have since that period continued chargeable ; hence also the reason why no two portions of corresponding extent pay alike." In lieu of this unequal assessment and for checking a practice as unauthorized as it was productive of confusion in the revenue accounts Dickinson suggested the establishment of one uniform rate of ground rent of 2 reas per square yard for this species of lands, or in case Government were pleased to grant renewable leases for 21 years in perpetuity a rate of 3 reas per square yard per annum. The total assessment on these lands as ascertained from Dickinson's reference book of 1824 as well as the rent roll of 1828 was Rs. 1,092-15-4 per annum. Although the management of these lands was with the Collector the collection of rent was for many years in the hands of Cawasjee Ruttonji Patell—an unprecedented practice—and was resumed by the Collector in June 1828.

These lands and the nature of he tenure on which they were held did not attract the attention of the Government or their officers for a very long time. In 1864 the Collector Mr. Scott introduced the system of writing the words "on sufferance" on the Land Revenue bills. This was vigorously protested against by a few holders who disputed the right of Government to describe the tenure of their lands in this way. Most of the holders paid the dues "under protest," while Sir Jamsetji Jijibhoy made a representation to Government against the action of the Collector. It was forwarded in the usual way to the Collector for report. Mr. Norman after briefly stating the circumstances under which the words "on sufferance" came to be inserted in the ground rent bills stated as follows :—" It does not appear that the occupants of such lands ever admitted that they are mere

tenants-at-will, but on the contrary have always considered themselves the actual owners of the land subject to the payment of a small annual ground rent. The use in fact of the words 'on sufferance' having been inserted in the bills in no way affects the question, and the rights of Government with regard to this land will never be decided until the matter goes into court."

In 1886 a certain site held under this species of tenure was required by Government for a clinical hospital when the Collector consulted the Law officers of Government whether the site could not be resumed along with the improvements standing thereon without payment of compensation.

Mr. Latham, the Advocate General, gave his opinion in the following terms:—"In case the holders admit or have admitted them to be so held (*i.e.* on sufferance) the lands may be resumed or the assessment enhanced. But in many cases the holders have refused to acknowledge that they so held and then the question is one to be decided on such proof as can be obtained. But as a general rule, I should not expect to find that a specific limit to assessment has been established and preserved even in those cases where Government has lost or never had the right of resumption."

In a further communication to Government, in December 1889, Mr. Spence expressed the following views:—"The lands which are held as tenancies-at-will but for which no leases have been granted are most difficult to deal with. Some of them have been held for long periods and almost all of them have been built over and many have changed hands. Regarding those which have been held for more than 60 years I believe that nothing can be done in the direction of either resumption or enhancement of assessment. In the case of those of which the tenure is less than 60 years old I would propose that a notice should be given of such period as may be required determining the tenancy but giving the tenant the option of having his tenancy renewed on a 21 years' renewable lease at such rates as may be fixed by the Collector. In several cases the right of Government to resume the land will be contested, more especially where houses of

some value have been built on the land. Such cases will have to be referred to the law officers for advice as to whether a suit in ejectment should be filed. In cases where the law officers are of opinion that the land cannot be resumed, the further question of enhancement of assessment will have to be considered."

Mr. Spence's proposal was sent to the Advocate-General, who pointed out that if the land could be proved to have been held on a tenancy-at-will even for a period of over 60 years, the land might be resumed or the rent enhanced, but no doubt proof of tenancy may not be possible after a great lapse of time. Although Mr. Spence's proposal was approved by Government and he was asked to give effect to it, Mr. (now Sir James) Monteath, who succeeded Mr. Spence, referred the question back to Government. It would not be expedient, he considered, to demand the full rental in the first instance if it is found that the rent can be increased at all. "I understand," he says in his letter of 19th November 1890, "the purport of Mr. Latham's two opinions to be that in such cases Government may have the right to increase the rent though it has not the right to resume without compensation." But since Government had allowed the rent to remain at the same rate for at least a century and had thus given rise to a belief that the rent was fixed in perpetuity, Mr. Monteath thought that it was of doubtful expediency to ask for the full rent at once. He suggested that in these cases 99 years' leases at progressive rates might be offered fixing the rents at 1 per cent. on the market value of the lands for the first ten years, 2 per cent. for the next ten and 4 per cent. for the rest of the term of 99 years. It was probable he considered that in order to cure a defective title some of the holders at any rate would accept such leases. But if any refused, full rent should be demanded from them and they should be left to establish if they could a specific limit to the assessment. Further action was delayed pending the appointment and meeting of the Leases Committee of 1892.

This Committee however confined their attention to the consideration of the terms of the leases to be offered to

investors wishing to take up Government vacant lands, and did not make any reference to these lands. The consequence was that the original subject of enhancing the rents on these lands was altogether lost sight of until in December 1898 Mr. Morison wrote to Government that he was about to give effect to the long forgotten orders of Government on this subject. After some discussion and after obtaining a further opinion of the Advocate-General, Mr. (now Sir Basil) Scott, which was to the effect that Government had probably the right to resume the lands but had not evidence sufficient to enable them to enforce their right in Court in ejectment suits, but that Government could re-assess the lands and would probably be able successfully to defend any revenue suit which might be instituted in consequence of the re-assessment, Government passed orders to the Collector in April 1903 to issue notices of the intention of Government to increase the assessment on these lands to the holders thereof, but at the same time inviting representations from the holders if they wished to make any before the assessment was finally fixed. These notices were issued by the Collector in July 1903. The increase in assessment was proposed to be brought into force from 1st September 1903, and was guaranteed for 50 years from that date.

The several representations which were made indicated that the holders had no evidence of title beyond what appeared on the records of Government, and on the strength of the opinions of the Advocates-General, that there was nothing in the nature of the tenure to restrict the power of Government to re-assess the lands, Government passed their final orders on the 8th of April 1904. Under these orders the holders were offered 99 years' renewable leases on the following terms :—(1) The value of the land was to be ascertained by 2 assessors—one nominated by the Government and one by the holder—with the Collector of Bombay as referee; in case of disagreement the Collector's decision to be final. (2) The assessment to be calculated at 4% on the value of all land in the holding covered by buildings and at 1/5th of 1% on the value of all land in the holding not so covered, the measurements to be made by

the Collector of Bombay. (3) The rate of assessment so arrived at to be fixed for 99 years. (4) During the first ten years only ¼th of the assessment on the land covered by buildings to be levied, for the next ten years only ½, for the third ten years only ¾th and for the remainder of the term the full assessment; the assessment on the land not covered by buildings to be levied for the whole term. (5) On the conversion of the land assessed at the lower rate to land covered by buildings, the assessment on the land converted to be raised and fixed according to the higher rate with the same deductions as are made under the preceding clause for the time being; the holder to give notice to the Collector before commencing any building. (6) The lease to be renewable in perpetuity subject to such alterations of assessment as Government may direct at each renewal. (7) Those who did not signify the acceptance of the offer within thirty days were to pay the full assessment at 4% of the value unless and until they proved that the lands are not liable to reassessment or that a specific limit had been established and proved. The assessment was levied from the 1st of September 1903.

In the case of properties devoted to charitable purposes, the benefit of the lower rate of assessment, *viz.*, 1/5th of 1% on the value of the land in the holding, whether covered with buildings or not, was conceded by Government.

These offers to the holders were made by the Collector on the 20th of June 1904 with the following results:—

No. of cases.	Area covered.	
	Sqr. yds.	
47	382,810	Holders accepted the Government offer of leases.
2	32,655	Holders disputed the rights of Government and filed suits either in the High Court or Revenue Court.
2	13,141	The land was under acquisition under the Land Acquisition Act. Six months' notice of resumption was issued to the holder and the land resumed. The holder filed a reference in the High Court.

No. of cases.	Area covered.	
	Sqr. yds.	
2	21,965	Land occupied by the Mansion house and family residence of Sir Jamshetji Jijibhoy allowed to be held at the old rent, so long as the mansion house and its compound are used as the residence and pleasure grounds of the holder of the title.
1	8,967	The Strangers' Friend Society allowed to remain in possession of the land at a nominal rent.
10	34,777	Terms not accepted.
64	4,94,315	Total.

The full assessment of 4 per cent. in the cases in which the holders neither accepted the offer nor filed suits has not been enforced pending the decision in the suits filed by some of the holders.

Tenancy-at-will.

The term Tenancy-at-will needs little explanation. It denotes a tenancy whether under a formal agreement or not, which can be terminated by one month's notice on either side. The tenancies-at-will commenced as far back as 1850. The lands were granted to individuals without any agreement. The formal agreements in respect of these lands were made about the year 1870. Most of these lands are situated at Mahim, Kamathipura and Chaupati.

In 1889 Mr. Charles directed his attention to this class of land. He had had a statement prepared which showed the area of the land covered by this species of tenure to be 152,518 square yards, paying an annual revenue of Rs. 3,240, the rates then charged being very much behind the market value of the lands. Mr. Charles proposed that the rental should be increased to nearly 5 per cent. on the market value of the land "as 20 years' purchase was about a fair valuation for lands." The amended rental was estimated to amount to about Rs. 33,440, thus giving an increase of about Rs. 30,200 over the old rental. Mr. Charles added that he

hardly hoped that the measures proposed by him would result at once in the full increase of Rs. 30,000, because such an increase would be stoutly contested, and in some cases the tenants would rather throw up the lands than pay more than they had been accustomed to pay for some years past. But making every possible allowance Mr. Charles estimated the possibility of an increase of from Rs. 10,000 to 15,000 annually. Mr. Charles' proposal could not be accepted as in none of the agreements had the power been reserved to raise the rents; and to secure enhanced rents it was necessary to put an end to the existing agreements and to renew them at higher rents.

Mr. Spence, who succeeded Mr. Charles, proposed to terminate the tenancy and then offer the tenant an option of a 21 years' lease at such rate as might be settled by the Collector with the sanction of Government. His proposal was approved by Government in February 1890, but precise instructions as regards the terms of the lease and the principle on which ground rent was to be fixed were not communicated to the Collector. This elicited a further reference to Government from Mr. (now Sir James) Monteath, who had taken Mr. Spence's place. Mr. Monteath suggested 99 years as the period for the lease and 4 per cent. as the basis for rent. He wrote :—" Mr. Spence proposed that when a tenant-at-will is ejected the occupancy right should be put up to auction on a 21 years' renewable lease at a rate settled by the Collector. If that rate is the full interest on the market value of the land, little or nothing can be expected to be paid for the right of occupancy. In the cases in question it will be necessary to fix a rent to offer to the tenant-at-will before an auction takes place. There are some vacant pieces of land which could at once be put up to auction; some of them have already been offered on 50 years' leases without eliciting any bids. I would suggest that these plots be now offered on 99 years' renewable leases to the person who bids the highest rent subject, to the reservation that the offer will not be accepted unless Government considers the rent bid adequate."

The question of the term of the leases and the rate of ground rent remained undecided until in December 1898 Mr. Morison again approached Government on the subject He proposed to treat the tenancies-at-will as follows :—(*a*) Where buildings had been erected on the lands, to issue notices terminating the tenancy, but giving the occupant the option of having his tenancy renewed on a 30 years' lease in outlying and 50 year's lease in central localities at a rental fixed on the 4 per cent. basis and (*b*) where no buildings had been erected, the tenancy to be terminated and the occupancies sold by auction on the following terms :—In central localities clear non-renewable leases for 99 years; in outlying localities leases for 50 years renewable for one term, rental to be fixed on 4 per cent. basis and two-thirds of it to be taken as rent and one-third as initial valuation.

The sanction of Government to the course proposed having been obtained steps were taken with the following result:—

No. of cases.	Area covered.	Result.
	Sq. yds.	
32	3,293	Converted into leasehold.
32	10,729	Tenancies-at-will continued on payment of higher rents on the parties executing fresh agreements.
24	56,151	Occupancies allowed on the same terms having regard to the special circumstances under which the lands were granted.
16	14,151	Lands resumed by the Collector.
8	10,562	Allowed on the same terms as the rents were too high to be increased.
112	*94,886	Total.

*The difference between this figure and Mr. Charles' figure of 152'518 was due to the resumption of land between the year 1889 and 1898.

A few subsequent grants of lands under this tenure have been made from time to time where a permanent occupancy by a tenant is not desirable. The present area of Government lands held under tenancy-at-will is 74,512 square yards and the annual revenue is Rs. 3,347.

The terms of the agreement signed by the tenant of and held on this tenure are :—(*a*) That no right to build upon the said piece of Government ground is hereby granted to the said tenant and that no building shall be erected upon the said piece of Government ground by the said tenant without the consent of the Collector on behalf of the said Secretary of State in Council for that purpose first had and obtained in writing. (*b*) That the tenancy under this agreement may be terminated as follows, namely, by the said tenant by one month's notice such time to terminate at the end of any month of the tenancy and to be given to the Collector of Land Revenue Customs and Opium and by the Secretary of State for India in Council by one month's notice such notice to be given to the said tenant or left at his residence by the Collector of Land Revenue Customs and Opium and to terminate at any time. (*c*) That the said tenant shall on the termination of his tenancy yield and deliver up to the Collector on behalf of the said Secretary of State in Council quiet and peaceable possession of the said piece of ground and every part thereof together with all erections and buildings then standing or being thereon. (*d*) That the said tenant shall not be entitled to receive from the said Secretary of State in Council any compensation for any improvement he may make on or to the land or for any expense he may be put to on the termination of this tenancy in or about vacating the same. (*e*) And lastly that the said tenant will not without leave of the said Collector assign or underlet the said premises or any part thereof.

The Sanads of Bombay cover a period of 40 years from 1814 to 1854 during which 828 sanads were issued under the signatures of the Collectors. They relate to portions of ground mostly in the New Town and were generally issued on the application of individuals for building-sites. The Sanads appear to have originated Sanadi.

through lack of a clause annexed to the receipts for the quit and ground-rent land declaring the said lands to be resumable by the Honourable Company. They were mostly of three different types, with the exception of a few special grants made for some specific purposes.

The first of these types under which the grantee was a mere tenant-at-will at the mercy of Government was in use from 1815 to 1823. It ran as follows :—"This is to certify that I............Collector of the Honourable Company's rents and revenues of Bombay, in consequence of an order of Government, dated............have granted to............a spot of vacant ground situated at............ containing.........square yards the said............having agreed to pay rent at the rate of 11 reas per square yard amounting to Rs.......qr........ ...reas......annually to the Honourable Company, and further has engaged to pay for the aforesaid spot of ground such additional rent as Government may from time to time think proper to fix and that it shall be optional with Government to resume the same at their pleasure."

This type was modified by Government in November 1823. In consequence of this the grantee felt greater security in his tenancy, and could hope for a more equitable return for the loss of his occupancy and for the value of improvements made by him. This type was as follows :—"This is to certify that . . . . has the permission of Government to occupy the space in the New Town denoted by No. . . in the plan of the Revenue Survey containing . . . . square yards upon payment into this office annually in the month of January at the rate of . . .the square yard the said ground to be at any time resumable by Government for a public purpose, six months' notice being previously given and a just valuation of all buildings or other improvements thereon being paid to the owner, the amount of which a Committee appointed by Government is in such case to determine." This type was in use until the issue of sanads was countermanded by Goverment in 1844.

The third type was only used in the case of the grants of land in Colaba. It was as follows :—"This indenture

made the . . . day of . . . between the Honourable United Company of Merchants of England trading to the East Indies on the one part and . . . . . inhabitant on the other part WITNESSETH that for the consideration hereinaftermentioned the said UNITED COMPANY have and hereby do grant a piece or parcel of ground situated on the Island of Colaba and containing by admeasurement ...... square yards more particularly described by a plan thereof deposited in the Collector's office. To have and to hold the said piece or parcel of ground unto the said .... as Tenant-at-Will yielding and paying therefor yearly and every year unto the said United Company at the Office of the Collector the clear yearly rent or sum of Rs. .....without any deduction or abatement thereout on any account whatsoever, and it is hereby agreed and declared that in case the said annual rent or sum of Rs. ...... shall be behind and unpaid by the space of five days next after the time when the same shall become due and payable it shall be lawful to and for the said United Company to distrain for the same together with the amount of interest from the day on which the said rent becomes payable. In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written."

The Colaba Sanads which were 188 in number were all granted between 1st May and 13th December 1815. All of these were in time cancelled and the lands granted there under resumed in the years 1823 and 1866, when the limits of the Colaba Cantonments were extended.

The Sanads in the Collector's office are either copies or duplicates of the original grants. The copies or duplicates of the Sanads issued after 1st May 1815 have an endorsement made on them and signed by the grantees in the presence of witnesses to the effect that they agreed to the conditions mentioned in the grants and had received the originals thereof. The issue of Sanads was countermanded by Government order, dated 24th July 1844, when Government ordered that no Government ground should be given except under lease for a certain period of years.

No separate rent-rolls explanatory of the exact nature of the Sanads were prepared, the lands having been entered in the rent rolls for the Quit and ground rent lands and receipt bills issued under that tenure. It was not till 1903 that the long forgotten Sanads were brought to light. The discovery of a Sanad in the High Court suit—Hari Pandurang *vs.* Secretary of State—led to inquiries being made as to the existence of other Sanads. The Sanads were thereafter very carefully indexed, and in May 1904 Government offered the holders of Sanadi lands a more permanent tenancy of a 50 years' lease, renewable for another 50 years. The rent for the first term of 50 years was to be 2 per cent. on the value of the land, in the case of the Sanads of the first type, and 1 per cent. in that of the second, and for the second term 4 per cent. in both cases. These orders were subsequently modified in April 1906 and again in 1908 by a further offer of a conversion into Quit and ground-rent tenure on payment by the holder of a certain amount of premium or in the alternative an additional annual assessment representing 4 per cent. of this premium.

Land Revenue Administration.

Land Revenue in Bombay is administered under the Bombay City Land Revenue Act, No. II of 1876, as amended by Act III of 1900. The land revenue administration of the Presidency Town differs widely from that of the mofussil. The earliest legislation for the purpose of administering the land revenue in Bombay was Regulation No. XIX of 1827 which was repealed and superseded by Act II of 1876. But the old law was as far as possible preserved. The only portion in the Act of 1876 which was new was that which referred to the survey which immediately preceded it and to the maintenance of the survey boundary marks, the object being to preserve and utilize the very complete survey of the island which had been effected at great expense.

The Act of 1876 was amended by Act III of 1900. The amendment principally related to the levy of certain fees in respect of notices demanding payment of arrears of revenue and to the removal of encroachment on Government lands.

Establishment.

Under the Act in force, the chief controlling authority in all matters connected with the land revenue is the Collector of Bombay, subject to the Governor in Council. He is assisted in the administration of revenue by a covenanted assistant.

The Collector.

The first appointment of Collector of Bombay as far as it can be inferred from the records in his office appears to have been made about the year 1715. The Collector was then styled "the Collector of the Honourable Company's Rents and Revenues" and was also responsible for the collection of Salt and Abkari revenue. His designation under the Regulation of 1827 was "Collector of Bombay." Besides the land revenue he had to collect the market-fees and the house and wheel taxes. In June 1828 the Land Revenue and Sea Customs departments were consolidated with separate establishments and the officer was styled "The Collector of Customs and Land Revenue, Bombay." In May 1842 these joint offices were separated and on the same occasion the appointment of the Superintendent of Stationery having been abolished it was combined with that of the Collector of Land Revenue.

Between 1845 and 1850 the Collector of Land Revenue was relieved of the duty of collecting the house and wheel taxes as well as the shop and stall-tax. In November 1852, the Land Revenue and Abkari departments were placed under an uncovenanted officer who was called "Collector of Bombay" and he was placed under the Collector of Customs "to the same extent as a Mofussil Land Revenue Collector was under the Revenue Commissioner." The management of the Salt Revenue was transferred to the Collector of Customs. In 1861 Government having decided that no uncovenanted officer should be appointed Collector of Bombay, the orders of 1852 were amended in May 1863 and the Collector of Bombay was made independent of the Collector of Customs. In April 1886 the Collector was made *ex-officio* Commissioner of Income-tax. In 1887 when the Collector's office was removed from the Secretariat offices to the Town Custom House, the appointment of Collector of Bombay and Collector of Customs and Opium were amalgamated and the officer was called "Collector of

Land Revenue, Customs and Opium, Bombay." In the same year he was appointed Registrar of Bombay. In 1906 (March) the Customs Department having been transferred to the direct control of the Government of India, the Land Revenue and Customs Departments were again separated, the former being placed under 'the Collector of Bombay.'

The Collector of Bombay is now, besides being the Collector of Land Revenue, Collector of Abkari, Superintendent of Stamps and Stationery, Registrar of Bombay, and Commissioner of Income-Tax. He further supervises the working of the Tobacco Act, the Steam Boiler Inspection Act, the Indian Factories Act, the Cotton Duties Act, the Printing Press Act and the Court Fees Act (Pauper Suits). He is *ex-officio* a member of the City Improvement Trust[1].

The Assistant Collector.

The appointment of an Assistant to the Collector appears to have been made about the year 1771. The duties of the Assistant were not specifically laid down by Government. They were principally the following:—Supervising the preparation of the rent-rolls, signing the bills, checking accounts of the several Receivers, examining and registering deeds of sale and notices of transfers, &c. In October 1888 the Collector of Land Revenue, Customs and Opium obtained Government sanction for the allotment of duties to the Assistant Collector on all matters relating to transfers of lands and the collection and default of land revenue. The Assistant Collector exercises a general supervision over the Land Revenue and Survey offices and the Steam Boiler Inspection office, and is also Chief Inspector of Factories.

Office Establishment.

The Land Revenue establishment consists of a Head Clerk and Head Accountant and sixteen other clerks who, together with the menial staff, are maintained at an annual charge of Rs. 15,354. This branch looks after the correspondence, accounts, collection of land revenue

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[1] Before 1906 he was also a member of the Port Trust. When the duties were separated the Collector of Customs was made *ex-officio* member of the Port Trust and the Collector of Bombay of the Improvement Trust.

and the records of the Collector of Bombay. It also registers transfers of lands.

The Revenue Survey Office was abolished in 1827, and the necessity of providing means of discovering encroachments on the public ground having been pressed by the Collector on the attention of Government they attached to the Collector's Department, in 1832, three surveyors, and subsequently a fourth. This staff constituted the original Survey establishment of the Collector. It now consists of the Head Surveyor assisted by seven surveyors. This establishment is maintained at an annual charge of Rs. 9,054. The Survey office is responsible for the maintenance of the Survey records and plans, and for the assessment and valuation of lands and for the inspection of and the removal of encroachments on Government lands. It has also to survey and demarcate lands for acquisition or for the grant of leases and to value properties for the purpose of stamp-duty.

It is the duty of the Collector, subject to the orders of Government, to fix and to levy assessment for land revenue, the settlement of such assessment being made with the superior holder of the land. The right to assess and collect the revenue on all lands occupied can be affected only when there is a right on the part of the occupant in limitation of the right of Government to assess. If the land be occupied Government may *ipso facto* assess, unless the occupant, on whom the *onus probandi* would appear to lie, can establish a right to bar or limit the exercise of that right on the part of Government. When there is no such right on the part of the occupant, the assessment is fixed at the discretion of the Collector, subject to the control of Government. But whenever there is such a right, in consequence of a specific limit to assessment having been established and preserved the assessment cannot be made to exceed such specific limit. The specific limit so created varies with the nature of the tenure. The only tenures under which the assessment on lands has been permanently fixed are Pension and Tax, Quit and Ground Rent and Foras. Assessment.

Lands held under Pension and Tax pay by the lump without reference to area and the assessment over these

cannot be altered except in great emergency, such as the building of "Cities, Towns and fortifications." The quit and ground rents on lands are now recognized as permanently fixed and not liable to revision. There has however been no judicial decision as to whether there is a specific limit to the enhancement of the assessment on these lands. More than a century has passed without any attempt having been made to vary the assessment on these lands, and the use of the term 'quit-rent' itself appears to imply a specific limit. The Foras lands have been enfranchised by Act VI of 1851. The rights of the Company in all these lands have been, since July 1851, extinguished in favour of the persons who held the same respectively as the immediate rent-payers to the Company, subject to the rents severally payable in respect of these lands.

The tenures which reserve the right to Government of revising the assessment periodically are Toka, Foras Toka and land newly assessed. The last revision of the assessment on Toka and Foras Toka lands was made in 1879 with a guarantee for 50 years; that on newly assessed lands in 1899 with a guarantee for 30 years for outlying and 50 for central lands. Inam lands are free from any demand on account of land revenue. Leasehold lands require no special mention. The assessments are regulated in accordance with the conditions in the leases. In Sanadi lands the original assessments cannot be revised, but the lands can be resumed for public purposes. In a very few cases, the lands can either be resumed at pleasure or re-assessed at higher rates from time to time. In "Sufferance" lands, it has been held by the Law Officers of Government that no specific limit to assessment has been established and preserved. Government have lately exercised the power of enhancing the assessment on most of these lands. This action on the part of Government has been disputed and the judicial determination of the legal rights of Government is pending at present. Fee Simple lands can never be assessed, the alienation of these lands being made by Government without any reservation. Charitable lands will presumably bear no assessment or alteration of assessment so

long as they are being used for charitable purposes. The basis at present adopted in Bombay for the assessment on lands is 4 per cent. return on the value of the land. But the Collector is authorised to fix lower rates if the circumstances of any case require special consideration. It is a standing order in the Collector's office that when it is proposed to enhance assessment a preliminary notice shall be given to the persons concerned to enable them to make any representation they may desire before the enhancement is finally determined.

Collection of Revenue.

For each of the several items of Land Revenue denominated Pension and Tax, Quit and Ground Rent, Foras, Toka, &c, there is a separate rent roll showing the name of each holder and the amount due by him. The total of the rent roll gives the annual amount on account of each head. There is a separate column in the rent roll for every year and the rent due for one year is, at its close, transcribed in the column for the next year with such alterations as may be rendered necessary by increase or decrease of holdings or by the grant of new leases, every alteration being attested by the signature of the Collector or the Assistant Collector and the authority for it quoted. The former practice of collecting the land revenue was to prepare bills for the amount leviable on holdings which were signed by the Collector or the Assistant Collector. Such bills were then allotted to the Receivers for realization, an account being kept with each Receiver in which he was debited with the amount of the bills entrusted to him and credited with the sums paid by him into the Collector's Office.

This practice of collecting the land revenue through the Receivers was abolished in 1880, and the holders themselves were required to bring their dues to the Collector's Office. The clerks in charge of the collections prepared bills on a printed form of the amount due from each rent payer and when the money was paid in, handed over the bills signed by themselves as receipts for the payments.

The practice of preparing beforehand the bills which when signed became receipts was stopped in 1889 on the

discovery of the misappropriation of certain moneys by a rent roll clerk, who, to escape detection, had prepared duplicate bills for amounts actually paid. The Collector Mr. Spence thereupon directed that the bills should not be prepared until the sums to which they referred were brought for payment. In the subsequent year Mr Monteath introduced another change in consultation with the Accountant General. Instead of these payments being made to the rent roll clerks, they were ordered to be made to the shroff to whom the holders were required to take the bills prepared by the rent roll clerks as showing the amount due. In 1904 the system was slightly modified, inasmuch as the rent roll clerk now first prepares a bill and (before signing it himself) transfers it to the shroff for recovering the money and initialing the bill which is then re-transferred to the rent roll clerk who notes the date of payment in the rent roll, writes the amount as well as the names and addresses of the rent payers in his register, signs the bill and hands it over to the owner. It is also notified that no receipt will be acknowledged that is not signed both by the Shroff and the Account-clerk.

As compared with the value of land in Bombay the total amount of land revenue is admittedly very small and is not capable of very material or rapid increase as the assessment on the greater portion of the land is permanently fixed.

Land Revenue is divided into (1) fixed or permanent and (2) fluctuating or miscellaneous. The fixed or permanent revenue is subject to increase when the assessment on lands liable to revision is revised or when fresh grants of Government lands are made or surplus lands are brought under rent rolls. It is decreased when lands subject to land revenue are resumed or acquired by Government or added to the public streets or when they are relinquished by the holders if they find the assessment too heavy to pay; also when the cess on the lands is redeemed. In 1841-42 the fixed land revenue was Rs. 65,893. It steadily rose to Rs. 72,687 in 1859-60. In 1860-61 owing to rent being charged on the Mazagon Estate it rose to Rs. 77,106. In 1871-72 new leases on

the Esplanade and in Colaba increased it to Rs. 84,569. The rent of the Clare and Carnac Bandars, which was from 1863-4 debited to the head fluctuating revenue, was transferred to fixed land revenue in 1881-2. The enhancement of rates of rent on newly assessed lands in 1900-1 caused the figure to rise to Rs. 2,65,397.[1] The separate items of fixed land revenue were:—Toka on Government villages Rs. 16,531; Pension and Tax (Bombay) Rs. 5,227; Pension and Tax (Mahim) Rs. 9,246; Quit and Ground rent Rs. 30,060; Rent of land newly assessed under Bombay Act II of 1876 Rs. 20,154; Foras land settled under Act VI of 1851 Rs. 7,328; Leasehold Rs. 52,470; Fishponds Rs. 17; Rent of the Clare and Carnac Bunders Rs. 1,13,285; Mody Bay Imperial Estate Rs. 10,188; Sanadi lands Rs. 4,642; Sufferance lands in Mazagon Rs. 4,634 and Islampura lands Rs. 86. The Improvement Trust, the Railway Companies and the Municipality have been acquiring enormous areas of land in Bombay Island during the last few years. The Government assessment thereon is capitalized at 25 years' purchase and paid outright by the acquiring body. The commutation of small assessments is also operating in the same direction. In the eight years ending 1907-8 the amount struck off the rent rolls on account of acquisition of land for public bodies was Rs. 7,752 and by commutation of assessment Rs. 477. The most important item of "fluctuating" revenue is the sale of land or occupancy rights (including redemption of cess on land and rent of land held on temporary occupancy). In that head are also included rents paid for lands held on tenancies-at-will, rent of railway lands or paid by the Port Trust for lands in their temporary occupation, fees for searching the Collector's record and for taking copies therefrom, capitalized abatement of revenue and other sundry value of tems.

Redemption of Revenue.

The subject of redemption dates as far back as 1827. In the Government letter, dated 20th December 1827, the Assistant Collector in charge was desired by Government "to invite tenders for the redemption of the land tax in perpetuity." A draft advertisement for carrying the

[1] See Appendix I at the end of the chapter.

measure into effect was submitted by him. The matter however was dropped at this stage for reasons unknown. In 1832 Mr. Bruce took up the question and made a report suggesting the redemption of the land tax of whatever description at 20 to 25 years' purchase. Before passing orders on Mr. Bruce's letter, Government called for precedents from Calcutta. The system then prevalent in Calcutta was redemption for limited periods at the rates given as follows:—For 10 years at 7½ years' purchase; for 15 at 10½ years; for 25 at 14 years and for 30 at 15 years' purchase.

In 1844 the Collector was asked by Government to report on the expediency of adopting the same measure for the island of Bombay. The Collector pointed out the objections to it. "The adoption of the measure", said Mr. Spooner, "could only be carried out with advantage provided it was general and thus enabled Government to discharge the whole or the chief part of the establishment at present employed in the realization of the revenue. The objection to its adoption is that at present the revenue is collected annually from all the land on the island subject thereto. If, however, isolated portions lying in different parts of the island were to be exempt from the payment of revenue for periods varying from 10 to 30 years many of them would be lost sight of and the revenue might not be re-imposed when the land became again subject to it. Thus, even if the Government rights in respect to them should not be lost for ever, certainly much confusion and loss would ensue. Changes of occupancy would be more likely to be overlooked, and in the absence of the scrutiny which takes place on the transfer of land from one party to another, the difficulty of detecting encroachments would be greatly enhanced." The scheme was therefore abandoned.

In 1873 Mr. Ravensrcoft suggested the redemption for ever of the "Pension and Tax" revenue.[1] His proposal, in which the Government of Bombay entirely concurred, was submitted to the Government of India for sanction. The Government of India approved of the proposal for

[1] See page 338.

redemption, but fixed the number of years' purchase at 25 instead of 20 as suggested by the Collector. It was subsequently raised to 30 by the Government of India in 1898.

In 1908 on a recommendation from the Collector, Government have authorized the redemption in perpetuity of the rents, not exceeding Rs. 10 on lands held on Quit and Ground rent and Foras tenures at 30 years' purchase, the rents under these tenures being held as permanently fixed. Thus lands held under Pension and Tax, Quit and Ground rent and Foras are allowed to have their cess redeemed. The number of Pension and Tax Bills redeemed up to 1st January 1910 is 1,366; that of Foras 225; and of Quit and Ground rent 124.

Revenue default.

The claim of Government to the land revenue has precedence over any other debt, demand, or claim, whatsoever, whether in respect of mortgage, judgment, decree, execution or attachment against any land or the superior holder thereof. If the land revenue is not paid at or within the time when it becomes payable, a notice of demand is served on the superior holder or on the person in possession or on both. Every person to whom such notice is issued is chargeable with a notice fee varying from annas 8 to Rs. 2 but in no case exceeding the amount of the land revenue in respect of which such notice is drawn. If after a lapse of 20 days after service of the notice of demand the land revenue still remains unpaid it is lawful for the Collector to levy the same by attachment or distraint of the land on which the revenue is due or of any other property belonging to the defaulter, a warrant being issued in that respect. Fees varying from one-half to ten rupees are made payable by the defaulters on certain scale. The property so attached or distrained, whether moveable, or immoveable is sold by public auction but not until at least 15 days after notice of the same has been published in the Bombay Government Gazette. Compulsory process against a defaulter is withheld on his paying or tendering the amount due, under protest, or on his instituting, or on his giving security that he will within 30 days institute a suit before the Revenue Judge to contest the legality of the demand. The Collector may

demand security from the defaulter that he will pending decision of the suit neither quit the jurisdiction nor remove or transfer his property without satisfying the Government demand. If the sale of the defaulter's property more than satisfies the Government demand for land revenue including cost of execution, the balance is refunded to the defaulter. If however the sale does not produce satisfaction of the demand, the Collector is empowered to cause the defaulter to be apprehended and confined in the Civil Jail, such imprisonment not exceeding one day for each rupee of the amount due.

Government lands.

All unoccupied lands within the city of Bombay and every unoccupied portion of the foreshore below high water mark is declared to be the property of Government, subject always to the rights of way and all other rights of the public legally subsisting. The disposal of any Government land or foreshore rests with the Collector subject to the sanction of Government.

The disposal of Government land in the early part of the 19th century was generally made by means of the issue of Sanads. The grants were made on small rents, but reserving the rights of Government to resumption of the lands whenever required for public purposes on six months' notice and on payment of the compensation for the buildings and improvements made on them by the grantees. The sanads were discontinued in 1844 and leases were introduced, the standing orders of Government being "that no Government ground should be given except under leases for a certain period of years."[1] The terms of these leases and the conditions on which they have been usually granted vary with the different localities in which lands are situated. The rents fixed on the lands were until 1892 very small, but since that year they have been invariably based on a 4 per cent. return on the value of the land.

Government lands have also been disposed of on "newly assessed" and "tenancy-at-will" tenures. Whenever the lessees or grantees are found to be too

[1] See page 413.

poor to bear the charges of the Government Solicitor for the preparation of the leases or other incidental expenses, the lands are given on "newly assessed" tenures, the assessments being fixed on the 4 per cent. basis and guaranteed for a certain number of years—usually 30, sometimes 50. They are liable to revision at the end of these terms. Whenever it is considered expedient that the permanent right of occupancy should not be given away or that the lands should not be used for buildings, the lands are given on "tenancies-at-will." The rents on such lands are usually recovered monthly and are fixed at a 4 to 5 per cent. return on the value of the land.

The Survey.

The survey made by Colonel Laughton under the authority of Government from 1865 to 1872 is called the "Bombay City Survey." (The details of this survey are given under "Surveys.") The demarcation of lands made under this survey and all the records pertaining to it are taken as *primâ facie* evidence for the purpose of the land revenue administration in Bombay. The Collector however has power to alter or to correct any entry in the Survey Record in pursuance of a decree or order of a competent Court or on the application of the parties interested in the lands. The superior holders of lands were made responsible for the maintenance and good repair of the survey boundary marks of their holdings, and in case of destruction or removal of a boundary mark, they could be called upon to renew it at their own expense. The boundary marks were principally fixed on lands lying to the north of Byculla. In the town proper all the holdings were demarcated by walls or buildings and there was no necessity to place any boundary marks except in isolated places. The position of the boundary marks was shown by small red circles by Colonel Laughton on his maps.

The annual examination of boundary marks was first started in 1892-3, but owing to insufficiency of the staff was continued in a desultory manner till 1902-03. In 1902 the Collector instituted a thorough examination of all the boundary marks and found that no less than 11,598 marks out of 18,374 had disappeared. The disappearance of the boundary marks was reported to be due to (*a*) intentional

destruction by the parties, (*b*) their being accidently knocked down and subsequently removed, (*c*) their removal by persons for the sake of the metal, and (*d*) by their being buried under roads, reclamations and buildings. Colonel Laughton had fixed the boundary marks wherever he found the features of the ground necessitated their presence. No regular inquiry was made nor was any settlement of areas effected according to these boundary marks. So far as the interests of Government were concerned there was no necessity to renew them except for preserving Colonel Laughton's survey. They only demarcated the boundaries of private holdings in which the Government were not usually called upon to interfere. For these reasons the Collector reported to Government that in his opinion a general renewal of boundary marks was not necessary for any revenue purposes. Government accepted his view, in consequence of which the general examination of the boundary marks has, since 1902, been discontinued.

Surplus land.

The quantity of land in any holding in excess of the quantity paid for is surplus land. Surplus may be due to encroachment on Government lands, encroachment on private lands, and difference in measurements.

The operation of the Revenue Survey from 1814 to 1822 having brought to light numerous encroachments on Government lands, Government authorized the Collector either to assess or to resume all such lands, but with instructions to proceed with caution and to try the question by a suit at law in the first instance of opposition. The question was never brought into a Court of law, and the resumption or assessment of the lands forming the encroachments as a general measure never took place. Advantage was however taken of individual cases as they came up for registration of transfer, and a large quantity of land was brought on the Collector's rent rolls. Until 1844 it was customary, when there was any building on the surplus land or when it had been in the occupation of a party for a long time, to enter it in the Collector's books, the assessment being proportionally increased and arrears levied in a majority of cases. In August 1844 Government authorized, in

addition to the back rent, the levy of a fair valuation for the permission to occupy the excess land and add it to the title of the party.

In 1846 a penalty of 50 per cent. on the current value of the ground was ordered to be enforced but only in those cases where the unauthorized occupation of the Government land was of recent date, and the party who desired to have it added to his holding was the same person who made the encroachment. In 1852 this was further modified and in addition to double the value of the ground, rent at double the usual rate both in arrears and for the future was charged in those cases in which the encroachment was less than 20 years' standing, the earlier encroachments being charged in accordance with the orders of 1844 and 1846. In 1862 Government laid down a rule that arrears of rent for 20 years only should be levied in cases in which the encroachments had been recorded in the Survey books for upwards of 20 years, but that in cases in which the encroachments, though of more than 20 years' standing had not been recorded in the Survey books, single valuation and single rent should be demanded. In 1863 Government authorized the Collector to levy arrears of rent for the last 20 years without valuation in all cases of Foras Freehold lands. These different orders remained in force till 1876 when the City of Bombay Land Revenue Act was passed. The assessment of surplus land was thereafter regulated by Sections 8, 26 and 28 of this Act.

The encroachments on Government lands have been since 1876 classed under three heads as follows :— (*a*) Encroachments made after the passing of the Act; (*b*) those made within 20 years before the passing of the Act, *i.e.*, between the years 1856 and 1876 ; (*c*) those prior to the year 1856. Encroachments under Class (*a*) are dealt with under Section 26 of the Act. This section gives the Collector power to summarily abate or remove such encroachments. It is also within the discretion of the Collector to cause a notice to be posted on or near the land and published in the *Bombay Government Gazette* and require the removal of the encroachment within a reasonable time and to levy

a fine not exceeding Rs. 25 for every day the encroachment continues after the date fixed in the notice. But it is also competent to the Collector with the previous sanction of Government, and if the person making the encroachment so desire, to charge him a sum not exceeding five times the value of the land and to fix an assessment not exceeding five times the ordinary land revenue thereupon, and to add such land to the title of the encroacher. No arrears of assessment are charged under this heading.

Encroachments under class (*b*) are dealt with under Section 28 of the Act. The Collector is authorized to charge the person making such encroachment or the person who is in occupation of the land so encroached upon a sum not exceeding double the value of the land and an assessment not exceeding double the ordinary land revenue thereon. The arrears of assessment at the same rate are recovered from the date when the encroachment was first made.

Encroachments under class (*c*) are assessed under Section 8. No valuation is charged in respect of them. Till 1902 there were no definite orders of Government about assessing such lands. The practice for a long time followed was to levy a very moderate assessment. The rates were fixed in 1879. But these rates were gradually set aside and new rates were fixed on the basis of a 4 per cent. return on the current market value of lands. In November 1901 the Collector asked for the definite orders of Government, and the matter having been referred to the Advocate General, that officer was of opinion that "provided that the right of Government in the property was not extinguished by the operation of the 60 years' rule of limitation under Article 149 and Section 28 of the Limitation Act, there was no objection in law to the assessment of land acquired by encroachment prior to 1856 being fixed on a 4 per cent. basis or any other basis sanctioned by Government." This opinion was forwarded to the Collector for his guidance and has since then been acted on. In the absence of special circumstances calling for different treatment encroachments prior to 1856 are assessed on

the 4 per cent. basis unless they have remained unassessed for 60 years, in which case no assessment is imposed.

With regard to the treatment of such surplus lands after they have been assessed, in the opinion of the law officers of Government the tenants can be newly assessed or sued in ejectment unless (*a*) the surplus has been added by agreement expressed or implied or (*b*) the tenant has held it long enough to acquire a title by adverse possession. Assessment at the same rate as the original holding is taken as evidence of an agreement between landlord and tenant that the surplus land should be held on the same terms as the original holding and assessment at a higher rate is taken as evidence to the contrary. Notwithstanding this legal right of Government it has been the practice to regard the surplus lands as included in the holding and held on the same tenure as of the original holding since it has been found impracticable owing to the very small extent of such surplus lands to keep separate registers for them. Yet in calculating the Government interest in cases where such lands are acquired a claim to compensation on the basis of reversionary interest is made in those cases where the surplus lands are assessed under Section 8 of the Act and a term of 50 years from the date of the assessment is taken as the period when the revision would fall due.

Encroachments on private land are matters for mere adjustment of the area in the Collector's record. If one man encroaches on the land belonging to another the Collector institutes a summary inquiry under Section 34 of the Act and adds the land so encroached upon to the encroacher's title, if he is satisfied that he is entitled to it by adverse possession unless a certified copy of an order of a competent Court determining the title to any such land is produced. The rate of assessment in such cases is not disturbed.

Surplus is sometimes due to difference in the measurements of the land taken at different times. No two surveyors taking measurements at different times agree as to the exact area nor indeed can the same surveyor arrive at the same area of the same land measuring it at

different times. The variation allowed in such cases is from ½ per cent. to 3 per cent. For the purpose of determining the variation the standard area is taken to be the area found by "the Bombay City Survey" made between 1865 to 1872. The difference between this survey area and the area in the rent roll is usually assessed at the same rate at which the original holding is assessed, no arrears being recovered.

Registration of transfer of land.

The register of sales and transfer of landed property was kept in the Secretary's office for upwards of a century prior to 1802, when it was discontinued. It was again commenced in 1812 but was transferred to the Collector's office. Regulation XIX of 1827 directed that whenever possession of any land, house or tenement subject to the payment of quit or ground rent was transferred, the person transferring the same and the person to whom it was transferred had to give notice to the Collector of such transfer within 20 days after such transfer was completed. Some persons gave notice of such transfer by a letter addressed to the Collector; others by tendering the deed of transfer to be registered; in the latter case the particulars of the deed were entered in a register, a note of the registry was endorsed on the deed and an authenticated copy which was always tendered along with the deed for the purpose was filed on the records. The registration certificates have varied from time to time. Until 1832 a mere endorsement that the deed of sale had been duly registered was made under the signature of the Assistant Collector. In 1832 the form was slightly amended and was used in the case of private lands until 1876. For Company's lands the form was modified in 1843 In the latter the object of registering deed was explained to remove wrong understanding. The object was simply to apply to the proper person for payment of rent.

In 1845 Mr. Grant further required the parties presenting such deeds to sign a declaration to the effect that it had been fully explained to them that the transfer neither conferred nor recognized any proprietary right whatever in the ground transferred nor any claim to compensation for outlay in the event of its being resumed

by Government, which the party did not, independent of such transfer, possess. This declaration, however, not long after its introduction, had to be discontinued, owing to many of the parties refusing to sign them, the Collector's endorsement being considered sufficient to assert the rights of Government legally subsisting. In 1876 after the passing of Act II of 1876 the registration certificate was again changed, bringing in full particulars of the land. The Act required persons to give notice of transfer made by sale or purchase or assignment within twenty days, and in the event of death within one year.

No application for transfer is now accepted unless it is accompanied by a plan of the land to be transferred, prepared by a duly qualified surveyor recognized by the Collector. Every person neglecting to give notice to the Collector within the specified time is liable at the discretion of the Collector to a fine not exceeding 10 rupees in case of holdings paying less than one rupee and in no other case exceeding 100 rupees.

Whenever a dispute or question arises with respect to the making or completion of any entry or transfer, the Collector issues summonses to all the parties interested, calls for such evidence and examines such witnesses as he considers necessary and summarily decides what entry shall be made in his records in respect of such property. If at any time a certified copy is produced of an order of a competent Court determining the title to such property, the Collector amends the records in conformity with such order. The registration or transfer of any title in the Collector's records does not operate so as to affect in any way the right or interest of Government in that property.

The Revenue Judge.

The institution of the Revenue Judge dates from 1815. Under Regulation III of 1815 the Senior Magistrate of Police was appointed to exercise the functions of Revenue Judge in all matters relating to the revenue of the Town and Island of Bombay. Regulation XIX of 1827 superseded Regulation III of 1815 and defined the powers of the Revenue Judge. This Regulation has been repealed by Act II of 1876 which made very little modification in the powers of the Revenue Judge. The Revenue Judge

(at present the Chief Presidency Magistrate)[1] decides all suits brought before him by contributors to the land revenue against the Collector or any of his subordinates on account of land revenue or acts done by them in their official capacities. The Revenue suits are conducted in accordance with the provisions of the Civil Procedure Code. The appeals against the Revenue Judge are heard on the Appellate Side of the High Court. The decree in any Revenue suit, whether it is of the Revenue Judge or of the Appellate Court, if against the Collector, is fulfilled by the Collector. But if it is against the plaintiff, it is enforced by the Collector as an established revenue demand.

Revenue Records.

All maps and land registers and other records of the Bombay City Survey and all records concerning the land or the land revenue are kept in the Collector's office and are open to the inspection of the public at reasonable hours; and certified extracts from such maps, registers and records or certified copies of them are allowed to be taken by all persons applying for the same. The levy of fees at Rs. 3 for each occasion for inspecting the Collector's records was first introduced in 1859 as a trial measure and finally sanctioned in 1860 on the Collector reporting that the public readily paid the fees without any objection. This rate was amended in 1876.

The present rules for the inspection of the record are as follows:—(1) Every application for search, inspection and obtaining copies of or extracts from the records shall be made in writing on paper bearing a Court Fee Stamp of the value of one anna. (2) Copies will be given on stamped papers in accordance with Article 23, Schedule I, of Act XVIII of 1869, and Schedule I of Act VII of 1870. (3) A fee of Rs. 5 for each day will be charged in every case for search and inspection when permitted by the

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[1] In 1889, when the amendment of the Bombay Land Revenue Act was proposed by the Collector, it was suggested that the Chief Judge of the Small Cause Court might be entrusted with the duties of the Revenue Judge, as this officer was better suited to hear revenue suits than a Magistrate. But this suggestion was not approved, as the work of the Small Causes Court was considered very heavy.

Collector. In no case will less than Rs. 5 be charged for search or inspection. (4) For copies of documents taken from the records a fee of one rupee will be charged as a comparing fee. (5) For allowing copies of plans from the Revenue Survey records a fee of Rs. 5 will be charged in ordinary cases, *i.e.*, for plans of land containing half an acre or 2420 square yards or less. For plans of land measuring more than half an acre a fee of Rs. 10 will be charged. For copies of plans lodged by private persons a fee of rupee one will be charged without reference to measurement. (6) The applicant is to take copies by his own clerk or surveyor, as copies cannot be made by the clerks or surveyors in the Collector's office. (7) No search, inspection or copies of documents will be given in cases where it is obvious that such a course would be prejudicial to the interest of Government.

APPENDIX I.

Statement showing land revenue demand and collection from 1841 in thousands of rupees (000 omitted).

Year.	Khist or estimated revenue.			Realization.
	Permanent.	Fluctuating.	Total.	
1841-2	66	1	67	84
1842-3	69	1	70	1,04
1843-4	69	2	71	1,07
1844-5	68	2	70	86
1845-6	68	6	74	92
1846-7	68	11	79	96
1847-8	69	14	83	1,07
1848-9	69	11	80	96
1849-50	69	11	80	92
1850-1	70	3	73	73
1851-2	70	7	77	50
1852-3	69	2	71	66
1853-4	70	9	79	92
1854-5	70	8	78	94
1855-6	69	50	1,19	1,01
1856-7	71	2	73	74
1857-8	73	4	77	55
1858-9	73	5	78	85
1859-60	73	1,11	1,84	2,16
1860-61	77	11	88	78
1861-2	77	24	1,01	1,02
1862-3	78	6	84	67
1863-4	77	2,18	2,95	2,98
1864-5	77	1,31	2,08	1,94
1865-6	77	1,06	1,83	1,90
1866-7	77	62	1,39	1,19
1867-8	77	2,11	2,88	2,81
1868-9	82	84	1,66	1,74
1869-70	79	80	1,59	1,72
1870-1	80	95	1,75	1,77
1871-2	85	1,54	2,39	2,28
1872-3	86	1,40	2,26	2,32
1873-4	87	1,34	2,21	1,69
1874-5	1,16	2,11	3,27	3,03
1875-6	77	2,64	3,41	3,76
1876-7	79	1,36	2,15	2,12
1877-8	82	1,49	2,31	2,26
1878-9	84	1,39	2,23	2,32
1879-80	86	1,41	2,27	2,18
1880-1	90	1,61	2,51	2,59
1881-2	2,13	38	2,51	1,87
1882-3	2,14	61	2,75	2,68
1883-4	2,14	1,51	3,65	2,66
1884-5	2,14	1,10	3,24	3,24
1885-6	2,14	90	3,04	3,03
1886-7	2,16	53	2,69	2,67
1887-8	2,22	20	2,42	2,40
1888-9	2,23	61	2,84	2,76
1889-90	2,23	30	2,53	2,59
1890-1	2,23	38	2,61	2,54
1891-2	2,24	27	2,51	2,58
1892-3	2,24	36	2,60	2,59
1893-4	2,25	28	2,53	2,53
1894-5	2,25	22	2,47	2,47
1895-6	2,25	45	2,70	2,70
1896-7	2,28	70	2,98	2,92
1897-8	2,33	47	2,80	2,77
1898-9	2,34	32	2,66	2,60
1899-1900	2,35	60	2,95	2,81
1900-1	2,65	56	3,21	2,61
1901-2	2,68	30	2,98	3,01
1902-3	2,67	31	2,98	3,03
1903-4	2,61	88	3,49	3,46
1904-5	2,59	1,70	4,29	4,37
1905-6	2,56	1,68	4,24	4,27
1906-7	2,67	10.97	13,64	13,49
1907-8	2,59	3,84	6,43	6.33
1908-9	2,74	1,20	3,94	3,71

CHAPTER IX.

REVENUE AND FINANCE.

WHEN the Portuguese gained possession of Bombay in 1534, the annual quit-rent of the island was 14,400 fœdeas (about Rs. 500), which rose to 27,000 fœdeas during the next four years. The amount was collected directly from the farmers. In 1537 the revenue of the island was stated to be 3,335 Xeraphins made up as follows[1] :— Mahim land, 1,098 Xeraphins ; Mahim customs, 1,239 Xeraphins ; Mazagon, 300 Xeraphins ; Bombay 698 Xeraphins. Bombay proper was apparently let out on an annual quit-rent, payable at the treasury in Bassein, which amounted in 1548 under Mestre Diogo's tenure to 1,375 pardaõs and under the ownership of his successor, Garcia da Orta, to 1,432½ pardaõs.[2] In addition to the payment of this quit-rent, the tenants of Bombay were expected to provide military aid to the Portuguese Government in India, whenever called upon to do so. A certain revenue was also drawn from the sale of the right of fishing and from taxes upon cocoanut palms and certain commodities.[3]

Financial condition of Bombay prior to 1700

When the English received possession of Bombay, one of their first acts was to make up an account of the produce of all the lands of the island, which showed the annual produce to be worth 80,000 Xeraphins (Rs. 43,656) and the actual income to be 20,000 Xeraphins. But owing to the ill-feeling which subsisted between them and the Portuguese, the revenue during the first few years of the British occupation was "paid very ill." Though in the words of Sir G. Lucas the island was "an orto or place planted with trees which yield great profit,"[4] the

[1] Unpublished Records printed in Lisbon, Vol. V., p. 142 ; Bombay Gazetteer Materials, III, 306. Da Cunha (Origin of Bombay, p. 95) states that soon after the cession of Bombay to the Portuguese in 1534, the Cacabe of Mahim was rented for 36 057 fœdeas, and the custom-house of that district was let out for 37,975 fœdeas ; while the island of Mazagon yielded 8,500 fœdeas and Bombay 17 000 fœdeas.

[2] DaCunha, p. 95 ; Bombay Gazetteer Materials. III, 257.

[3] Edwardes' Rise of Bombay, pp. 69 71 and 84, 85.

[4] Lucas' Report of 21 March 1667.

full benefit of its productiveness was not at first received by the crown and its yearly revenue was calculated at no more than £2,833. Both Sir G. Lucas and Mr. Henry Gary, however, did much towards improving the revenues of the island. The former compelled "the Customer of Mahim" to disgorge in the shape of goods, lands and cash about 9,000 Xeraphins, which he had wrongfully held back for his own benefit,[1] while the latter definitely increased the total revenue of Bombay in 1667 by 5,214 Xeraphins. The tavern excise for example rose from 400 to 2,400 Xeraphins, the *stanque* or farm of tobacco from 6,000 to 9,550 Xeraphins, and the customs from 4,100 to 18,000 Xeraphins. To the above revenue was added the revenue of all oarts belonging to the Jesuits and inhabitants of Bandora, amounting annually to Xeraphins 20,435. These were consficated by Sir G. Lucas, because the owners attempted to obstruct the customs authorities at Mahim. The details of the revenue of the island in 1667 were as follows :—

	Xs.	Qrs.	Reas.
Town of Mazagon with all its rents and pretences	9,300	0	40
Mahim with its rents	4,797	2	45
Parel with its rents	2,377	1	56
Vadala	1,738	0	40
Sion	790	0	62
Varli	571	1	34
Bombay	6,344	2	61
The rent of Tobacco	9,550	0	0
,, Taverns	2,400	0	0
,, Customs	18,000	0	0
Cocoanuts and rents of gardens ...	18,000	0	0
	73,870	1	18
More may be advanced ..	1,129	1	62
Roughly	75,000 Xeraphins		
	= £ 6,49? 17 9		

In spite of the efforts of the Crown representatives, the island was regarded as hardly worth the trouble and expense of maintenance ; and it was accordingly transferred without hesitation in 1668 to the East India Company "in free and common soccage" for an annual rent of £10, payable on the 30th September each year. The first real attempt to organize and increase the revenue was

[1] Gary's letter of 12th December 1667.

made in 1669 by Gerald Aungier, who discovered that the amount of revenue from lands had been greatly overrated and that the amount of the cesses in land customs had been underestimated. His land-settlement made provision for the payment by the land holders of the island of a definite yearly contribution or in composition a lump sum of 20,000 Xeraphins, which included the quit-rent or Foras which they formerly paid, while the peaceful possession of their lands was in return guaranteed to them. By 1672 the general condition of the island had much improved under Aungier's far-sighted policy. Merchants and manufacturers were encouraged to settle by a promise of exemption from taxation for five years, the loss of revenue consequent upon this practice being counter-balanced by the levy of a one per cent. port duty; [1] while various other proposals for the encouragement of trade and revenue were submitted to the Court of Directors, which however was debarred from sanctioning them owing to the disturbance of trade, mutiny and political troubles which characterized the latter portion of the 17th century. In April 1675 the following estimate was made of the public revenue of Bombay island :—

	Xeraphins.
Mahim	2,432
The Cooliarys [2] of Mazagon	4,154
" " Bombay	4,109
	10,695
Rents of Lands	1,017
The Customs [3]	31,050
Tobacco License	20,300
Passage Boats	1,210
Punch License	5,050
Tribute or Contribution	20,000
Mint computed nearest at	10,000
Vatav being more than what was formerly received at 8 per cent. ...	7,985
	1,07,807 [4]

[1] Bruce's Annals, II, 271.

[2] This was a head-tax collected from every Koli in return for the right of fishing and performing other duties (Bombay Gazetteer Materials, III, 308). In 1673 Aungier wrote :—"Cooliarys or rights of fishing in the open bays of Bombay, Mazagon, Veroly and Parell are still pretended to by the Portuguese who formerly enjoyed them as a right."

[3] In 1676 the Customs and revenue was raised to 2½ per cent., besides one per cent. devoted to the outwork of the Fort.

[4] The difference of Rs. 500 in the total cannot be explained.

With a view to increasing the revenue about this period and bring receipts more into equality with a growing expenditure the Company let out portions of their own lands and houses, and also let out on a small quit-rent such lands as were reclaimed between 1672 and 1703. Further, about 1676 they imposed an anchorage duty, which in 1683 amounted to about half a dollar on every ship anchoring in the harbour. They levied a tax of one rupee a year on each fishing-boat, a tax of the same value on every shop-keeper and also created a new impost, called *Rende Verde*, on oil, opium, *bhang* and *mahuda*. The latter tax was farmed out for 1,600 Xeraphins in 1676; and a "cotton rent" was also devised, which sold in 1687 for 2,240 Xeraphins. The Dutch system of imposing taxes on provisions was to some extent followed, and the rents both of the tobacco and arrack farms were considerably augmented, the former rose from 14,000 to 24,000 Xeraphins per annum,[1] and the latter from 1,000 to 5 000 Xeraphins, during the three years ending 1676. In spite however of these financial expedients, the expenditure continued for some years to exceed the revenue. In March 1676, the Court of Directors remarked that "Bombay has been a very chargeable place to us. Though you have raised the revenues there, yet we do not find that it repays the annual charge, but that we are great losers yearly;" and they followed up this letter in 1681 by peremptory orders to reduce the expenses to 72,000 Xeraphins and to so increase the revenues that " we may not be wanting to ourselves to make the place what may be towards the support of the annual charges we have been at and must constantly be at."[2]

The same letter contained a statement that since its transfer from the Crown, Bombay had cost the Company not less than £13,00,000. Between 1682 and 1694 the financial condition of the island continued at a very low ebb, in spite of Vaux's regulation of the accounts and the reduction of expenses to 70,000 Xeraphins a year. This reduction led to Keigwin's mutiny, which for the time being completely upset the economical condition of

[1] Bombay Letter of 22nd January 1677.

[2] London Letter of 31st January 1681.

the island. In 1687 it became necessary to impose a tonnage fee of one rupee a ton per annum on all ships; the duty on imports was raised to 5 per cent.; a tax was imposed on powder; and a small quit-rent was levied in 1688 on all houses.[1] Then came the trouble with the Sidi, which reduced the fortunes of Bombay to their lowest ebb, so that in 1694 the Bombay Council were forced to write:—"John Gayer at his arrival here found the miserable effects of the late war, and since a small plague which has almost depopulated and miserably impoverished the said island, so that the customs which before the war was farmed out at 62,500 Xeraphins per annum has since yielded but 17000." Neglect and the lack of manure had ruined most of the Company's personal estates; the forfeited estates of the Portuguese landlords brought in practically no revenue; and the various duties and farms had been so neglected that it was feared "several sorts of Rendires (farms) would have been in great danger of being wholly lost." Matters improved not at all until 1708, owing to the rivalry between the representatives of the two companies in India, while the constant fear of attack by the "country-powers" prevented any steps being taken for the economic advancement of the island.

In the first half of the 18th century matters commenced 1708-44. to improve. The expenditure was jealously watched, and regular accounts were for the first time kept. Bad debts, which resulted from the frequent insolvency of the farmer, were largely obviated by fixing regular dates for the payment of revenue, and similar orders were issued for the monthly collection of customs and other receipts. The Court of Directors called for monthly statements of all receipts and expenditure, and by 1730 considerable reductions under the latter head had been devised under their orders. For the safeguarding of the company's cash balances a Treasury Committee, composed of the President, the Second, and the Third in Council was appointed, with orders to keep all bullion, rupees and treasure under three different locks, excepting only a running sum of about one

[1] The rates of house-duty were 2 shillings and 6 pence for a great house, one shilling and 6 pence for a middling house, and one shilling for a small house per annum.

lakh to be kept in the President's own possession.[1] A covenanted assistant was also appointed to attend to the receipts and payments, and the members of the Committee were instructed "to examine the current receipts and issues of money in the treasury upon a medium of any one month and allot such sums as were reckoned sufficient with the receipt of the revenue and other incidental monthly sums to answer the payments." Meanwhile the lands of the island were surveyed and registered; the waste and reclaimed lands were let out for cultivation on easy terms; and the sale of the Company's lands was absolutely forbidden, leases with liberty of renewal being substituted for outright sale.[2] Besides the regular customs-duty, a few special taxes were from time to time levied on imports and exports, as, for example, a 2 per cent. duty towards the cost of the war with Kanhoji Angria, the duty of one Xeraphin a ton on water and a 2 per cent. duty to defray the cost of building the town-wall and the church. For a certain period also a tax of Rs. 4 per head was levied on all cattle belonging to the Gentus (Hindus).[3] In 1720 the quit-rent was reduced by one-half on a representation from the principal inhabitants of the island, and in 1731 attempts were made to equalize the quit-rent and ground-rent, the former being fixed at 6 reas a square yard and the latter at 5 reas. Ten years later, however, the rates had largely increased and varied from 6 to 45 reas per square yard.[4] From the few statements of account still extant, it appears that the revenue of Bombay in 1711-12 was Rs. 98,670 and the expenditure Rs. 1,92,411; that in 1717 the revenue had risen to Rs. 1,25,000; and that in 1727 it had again risen to Xeraphins 2,39,899 as detailed in the table on next page.

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[1] Bombay Gazetteer Materials, III., 297. For arrangements for control of finance in 1710, see Bombay Gazetteer Materials, III., 283. The President kept the cash, the Second had charge of the books, the Third of the exports, the Fourth of the imports, the Fifth was Purser-General in charge of all disbursements, the Sixth had charge of all rents and revenues, and the Seventh of stores.

[2] Bombay Gazetteer Materials, III., 301.

[3] Forrest's Selections, II., 32.

[4] For further particulars see Bombay Gazetteer Materials, III, pp. 302 and 304.

Bombay Rental, 1727.

Land.	*Xs.*	*Miscellaneous.*	*Xs.*
Mazgaon	4,000	Colaba...	4,500
Varli	700	Koliwadas	7,000
Parel	4,000	Salt	2,650
Vadala	1,900	Distilleries	2,000
Naigam...	1,000	Customs	52,000
Matunga	1,700	Tobacco	49,000
Sion	2,[illegible]25	Spirits	12,000
Bombay	30,424	Quit-rents	3,000
Mahim	50,000	Ferries	12,000
Total ...	95,749	Total ...	1,44,150

Grand Total Xeraphins 2,39,899

The following table shews the various heads of receipts and the collections under each head in the year 1735-36 :—

I —Rents and Revenues under the care of the Collector of Bombay—

Tobacco rent[1]	Rs.	29,225
Arrack rent[2]	,,	14,300
Rent of the Old Woman's Island	,,	200
Rent of Malabar Hill	,,	131
Rent of brab trees on Butcher's Island	,,	15
Pension[3]	,,	7,229
Quit and Groundrent	,,	5,461
Cooleries[4]	,,	2,366
Petty tributes (on Company's estates).		
Salt grounds[5]	,,	1,492
Batty grounds[6]	,,	7,745
Miscellaneous[7]	,,	1,952
Total Land Revenue	,,	70,116

[1] This was let out to the highest bidder for the sole liberty of selling country tobacco to the inhabitants. (See account of Tobacco Revenue).

[2] This was let out for the sole liberty of selling arrack and toddy to the inhabitants. (See account of Excise).

[3] See Chapter on Land Administration. The amount agreed to by the inhabitants in 1672 was Rs. 20,000. Since that date several parts had fallen into the Company's possession, and the pension was proportionately reduced.

[4] This was one of the items of the land revenue. It was a head tax collected from every Koli for the liberty of fishing and following other occupations. The head money paid by the fishing Kolis

[5], [6] and [7] See next page.

II.—Customs—

Imports and exports[8]	Rs.	62,234
Contribution to the Town wall[9] ...	,,	14,590
Weighing and measurage duty[10]...	,,	2,827
Additional pepper duty[11]	,,	945
Convoy duty[12]	,,	1,290
Excise on Punch houses[13]	,,	1,310
Duty towards building a new Custom House	,,	8,488
Total Customs	,,	91,684

was Rs. 3 to 4 a year. It was specially for those who followed callings other than fishing. Palanquin Kolis paid the same as fishing Kolis.

[5] It was a duty on the salt made by persons on the pits belonging to the Company. The rate was fixed for each pit or was on produce. Half of what was actually made was given to the Company.

[6] The batty grounds in general belonged to the Company and were cultivated by the Kunbis who used to give half of the produce to the Company. (See also Land Administration).

[7] Includes tribute paid by the Bhandaris for drawing toddy from the Company's trees, and by Kolis for fishing. It also includes rent of sundry hills and small pieces of ground.

[8] All goods imported and sold paid 3 per cent. Sundry articles were allowed free, and articles whose importation was judged detrimental paid special duties, *e.g.*, timber, grain, plate and jewels were allowed free,and Indian tobacco was levied at 9 p c., horses 6 p.c., soap 9 p.c., opium 9 p.c., country iron 9 p.c. The special export duty was levied on the following articles, which were necessary to the island :—Timber 5 p.c., grain 5 p.c , boats sold 6 p.c., salt 20 p.c., cocoanuts 9 p.c., cloth made in Bombay, 2½ p.c., sundry necessaries, such as corn, fish, and cudjans 9 p.c. (For further details see Customs).

[9] This and the duty towards building a new Custom House were collected on all goods imported at the rate of 2 and ½ p.c. respectively. They were voluntarily paid by the inhabitants. The latter was originally given towards building the Church and when the Church was finished, it was applied to the Customs House and other services.

[10] The weighing and measurage duty was ¾ p. c. on value of goods weighed or measured.

[11] This was a duty on pepper exported from the coast factories. levied to lessen the export of pepper on account of private persons.

[12] This was collected on small vessels belonging to the island (that did not pay tonnage). It was paid for every trip and varied from Rs 10 (vessels of 100 Khundies) to 20 (vessels above 150).

[13] The liquor sold by retail was taxed as under :—Goa Arrack Rs. 15 the hogshead, Europe wine one rupee a dozen, Persian wine Rs. 5 a chest, &c.

III —Other Heads—

Coinage duty[1]	Rs.	12,174
Account freight[2]	,,	13,265
Account tonnage[3]	,,	6,184
Cocoanuts and oart rents... ...	,,	7,226
Batty produced by salt grounds ...	,,	49
Pier and waterway...	,,	398
Fine, confiscation, interest, etc. ...	,,	9,614
Total of III	,,	48,910
Grand Total	,,	210,710

By the close of this period (1744) the land revenue of Bombay had risen from Rs. 25,000 in 1728 to Rs. 35,000 and the customs revenue from Rs. 89,000 in 1735 to Rs. 1,19,000, while the tobacco and arrack farms fetched Rs. 44,000 and Rs. 27,000 respectively against Rs. 25,000 and Rs. 10,000 in 1725. Including miscellaneous receipts, which aggregated half a lakh in 1735-36, the total revenue of Bombay in 1744 must therefore have been at least 3 lakhs.[4]

The Honourable William Wake introduced during his governorship regular measures for reducing the charges and increasing the revenue. Encroachments upon the Company's property were checked by the introduction of a survey of the island under a special officer styled "c erk of the works," and the registration of deeds of sale in the Secretary's office was made compulsory. A good deal of land improvement was also executed. When he retired in 1750 he delivered to his successor, Mr. Bourchier, Rs. 97,7 6 as the balance of the current cash, Rs. 58,842 as the bank balance, Rs. 3,00,156 as the treasury 1744-1803

[1] It was settled at 1 p.c. on coins brought for coining at the mint by merchants.

[2] Goods were freighted on such terms as could be settled. Gold and silver brought on Company's ship paid 2 p.c.

[3] Includes tonnage collected at Surat. It was collected for the pass given to vessels at the rate of 1 rupee a ton.

[4] It is not clear how much was received annually as judicial receipts? The Mayor's Court deposited cash in the Company's treasury from time to time. In 1747, for example, it paid Rs. 6,000. (Bombay Gazetteer Materials, III, 15).

balance and £5813 as the balance of the foreign silver. The revenue however still fell short, it appears, of the expenditure; for in 1752 the Court asked the President to do all in his power "to encourage trade and augment the number of substantial inhabitants at Bombay that we may at least have the satisfaction of finding the revenue adequate to the charges and expenses."[1] Bourchier certainly did a great deal towards the increase of the island's trade, and simultaneously augmented the customs revenue by Rs. 14,504.[2] He also increased the Company's rents;[3] he levied a 10 per cent. tax on landed estates in 1758; and took in hand the management of the batty grounds and salt pans to such good purpose that the revenue from them rose from Rs. 10,000 in 1751 to Rs. 12,000 in 1758. The land revenue which had declined to Rs. 29,000 in 1751-52 rose to Rs. 36,000 in 1759-60; the customs revenue increased to Rs. 1,64,000; and the rent of the tobacco farm rose from 46,000 in 1748 to Rs. 67,000 in 1760. No noteworthy measures were introduced between 1760 and 1803; but during the greater portion of this period, when the Bombay Government was prosecuting campaigns against the Maratha power and Mysore, they found great difficulty in meeting their expenditure The financial distress under which they laboured in 1781 is portrayed in the order to Colonel Hartley to cover as much of the Konkan as possible, so as to enable the agents of Government to collect a part of the revenues and secure the rice harvest; while in his reply to an address presented to him at the close of the Mysore war, Lord Wellesley referred to the loan of 3 lakhs towards the prosecution of war with France which the Bombay Government had been forced to raise by public subscription. Meanwhile however the revenues were steadily increasing; the customs duties were revised; and the rent from reclaimed lands showed an upward tendency year by year.

[1] Bombay Gazetter Materials, III, 373.

[2] See Customs article.

[3] In 1755 the Court wrote :—"It gives us great pleasure to observe by your last sell-off books that our rents and revenues are increasing and that they exceed the amount of the preceding years by upwards of Rs. 60,000."

The later financial history of Bombay can be gathered from the succeeding chapters on Customs, Cotton Duties, Salt, Excise, Tobacco, Income-tax, Stamps, Registration and Steam Boiler Inspection. The following statement shows the receipts and disbursements in Bombay in thousands of rupees in 1890-91, 1900-01 and 1905-06, excluding military, post-office and telegraph transactions[1]:—

—	Receipts.			Disbursements.		
	1890-91.	1900-01.	1905-06.	1890-91.	1900-01.	1905-06.
Land Revenue	3,75	2,72	4,27	1,05	80	1,61
Stamps	18,16	20,53	26,31	54	54	60
Excise	24,61	29,97	40,48	54	96	80
Justice	67	98	1,80	11,17	12,26	14,08
Assessed Taxes	16,89	20,35	23,33	36	44	60
Customs	25,38	1,49,78	2,10,26	3,36	6,34	7,72
Mint	20,47	3,27,87	1,19	5,64	3,20,68	8,15
Registration	66	72	1,23	39	22	22
Education	76	89	1,04	5,40	5,16	7,70
Police	1,00	1,59	1,65	6,64	11,60	11,64
Medicine	78	1,32	1,68	5,60	13,29	11,13
Other Sources	3,60,17	3,08,69	2,21,66	37,51	43,00	47,48
Total ..	4,73,30	8,65,41	5,34,90	78,20	4,15,29	1,11,73
Steam Boiler Inspection Fund	38	50	61	17	32	52
Govt. Central Book Depôt Fund	1,44	94	82	95	89	83

Bombay by reason of its magnificent harbour has become the entrepot, not only of the commerce of Western India, and of the Gulfs of Arabia and Persia, but also of Great Britain and other foreign countries. The prosperity of Bombay in this respect has been materially strengthened by the propriety with which the scale of duties levied on imports and exports has been adjusted from time to time and the simplicity with which they have always been collected at the port. Customs.

The legislative enactments affecting the sea-customs of the Bombay Presidency were few and their direct operation was limited to the two ports of Bombay and Surat until the year 1827, when a general regulation was passed for the management of the customs at the subordinate ports as well as at the main port of the Presidency.

[1] This does not include revenue derived in the Public Works Department, which amounted in 1907 to Rs. 59,000.

In 1667 the customs were farmed for 18,000 Xeraphins, while from 1670 an "indulgence of 5 years custom free" was granted. In 1676 the duty was fixed at 2½ per cent. besides one per cent. appropriated to fortifications An anchorage duty of one rupee per ton was also levied on all ships in the same year. The collection of duty was farmed out by the Company.[1] The customs revenue in 1675 was 31,050 Xeraphins. Other items included in the customs but separately farmed were tobacco (20,300), arrack (5,050), Mahim passage (850) and Sion passage (360). Customs duty on all goods was raised to 5 per cent in 1685, to defray naval and military charges.

This system appears to have continued till 1715 with little alteration. In that year the Court being desirous of encouraging the trade of Bombay, directed the custom to be reduced to 3 per cent., and for the general benefit of the island all duties upon butter, oil, rice, paddy and wheat were also taken off.[2] In 1717 a consulage duty of 2 per cent. was ordered by the Court to be imposed on all goods imported into Bombay from Madras and on all other ships under the Company's protection trading in Bombay. This was followed in 1720 by an order to the effect that all goods belonging to persons living under the protection of the Company, which had paid the duties of this island, be exported custom-free to Surat or to any other port at which the Company enjoyed privileges, and that goods exported from Surat and other Mughal ports which had paid a 2 per cent. duty on export, should be allowed to set off the payment against the charges levied in Bombay.

In 1720 a debate arose whether the additional duties (collected with the customs) towards carrying on the war against Kanhoji Angria and for finishing and repairing the church should be continued or not. It was decided that the duty towards carrying on the war against Kanhoji Angria should be taken off, and only the ½ per cent. for repairing the church be continued.[3] At the close of the year how-

[1] Surat Council to Court, 17th January, 1676. In the words of the letter the customs were exposed to sale "by the inch of candle" and were raised to Xeraphins 31,050 per annum.

[2] Bombay Gazetteer Materials III, 294-295.

[3] Bombay Gazetteer Materials, III, 323-24.

ever, an additional duty of 2 per cent. for the term of six months was levied at Bombay, Persia, Surat and Mokha in order to defray the great expense incurred by the Company in fitting out fleets to go in search of the "pirates and other pickeruns" on the coast. The customs dues of one rupee a ton on all shipping entering the harbour, which were abolished for a time, were re-levied in 1720.

The following remarks of the President show details of the levy of customs-duty about 1737 :—

"(*a*) All goods imported and sold pay 3 per cent., unless they have already paid duties at Surat or Cambay. The only exception to this 3 per cent. duty is in the case of sundry articles whose importation being judged of advantage is allowed free, and of others whose importation is judged detrimental, and is subject to special duties. These articles are :—timber free, Indian tobacco 9 per cent., grain free, horses 6 per cent., jewels free, soap 9 per cent., plate free, opium 9 per cent., country iron 9 per cent.

"A special export duty is levied on the following articles which are necessary to the island, *viz.*, timber 5 per cent., grain 5 per cent., boats sold 6 per cent., salt 20 per cent., cocoanuts 9 per cent., cloth made in Bombay 2½ per cent., sundry other necessaries, such as corn, fish and *cajans* 9 per cent.

"The duties of Bombay paid by the traders are esteemed as reasonable as at any port in India. When it is considered that goods brought from Bengal have already paid a consulage there and if exported from hence to Persia pay another duty at that place, we cannot suppose the Hon'ble Company will think it reasonable to augment the one without taking off the other. In this respect we trade on a more disadvantageous footing than the Moors, who, having paid the Mughal's duties at one of his ports, are at liberty to carry their goods to all the rest within the year custom free. We can from experience affirm that the Hon'ble Company are the greatest gainers by the private trade carried on by the English in India. The amount of this article in 1735-36 was Rs. 62,234.

"(*b*) The Town wall duty was voluntarily paid by the inhabitants of Bombay to defray the expenses of building

the town wall. They no doubt expected, when the cost was repaid, they would be relieved from the duty, though, I believe, they may be prevailed willingly to continue the 2 per cent. if our Hon'ble Masters gratify them in relinquishing the ground and quit rent. I am inclined to hope our Masters will agree to this proposal. The difference will be greatly in their favour, and by their compliance the body of our merchants will be gratified and our poor relieved. The amount of this item was Rs. 14,591.

"(*c*) The duty towards building a new Custom House is collected on all goods imported; it was originally given towards building a church and when the church was finished the merchants hoped it would be taken off. It has since been applied to the Custom House and other services, $3\frac{1}{2}$ per cent. being collected upon all imports without separating this duty from the real customs. The traders seem to despair of being relieved from this duty, though when a donation of that kind is made, they think it ought to be applied to no other use and ought not to be continued after the work for which the duty was first levied is completed. The amount collected was Rs. 8,488.

"(*d*) All goods weighed and measured at the Custom House pay $\frac{1}{4}$ per cent. on their value over and above the customs contribution. This in effect increases the custom to $3\frac{3}{4}$ per cent. This duty was laid on by the late President and Council and has been submitted to by the traders in general who do not pretend to dispute the Hon'ble Company's power of levying and continuing what duties they please on the trade carried on under their protection. In spite of this whether the over-burthen of it will not have a bad effect and lessen the customs revenue is referred to our Hon'ble Masters. The amount realized was Rs. 2,828.

"(*e*) I cannot but confess I think the pepper duty a hardship on the English traders who alone are subject to it. I apprehend the original design of the tax was to lessen the export of pepper on account of private persons from the Hon'ble Company's settlements. But it has been taken in a much more unlimited sense; for this duty is collected on all pepper sold by the English traders in any of the Hon'ble Company's settlements, though

bought from such parts of the coast as no ways interfere with our Hon'ble Masters' trade. Nay the duty was carried even further and collected on pepper bought at Cochin and sold in China. From this we were obliged to desist on the Dutch threatening to deny us the liberty of their port. As at this time all merchants (except those under the English protection) can buy pepper at Karwar, Onor, Cochin and other parts of the coast where our Hon'ble Masters have not settlements, and sell it at any market in India without paying this additional duty, the levy puts the English on a worse footing as regards pepper than any other merchants, even than the Moors or Banias. It is to be hoped that the Hon'ble Company taking the same into their consideration will be pleased to relieve them by taking it off. The amount in 1735-36 was Rs. 946.

"(*f*) Convoy duty is collected on small vessels belonging to the island (that do not pay tonnage) according to the following rates:—Those under 100 khandis, Rs. 10; from 100 to 150, Rs. 15; from 150 upwards, Rs. 20. Vessels pay this duty every trip and some boats make two, others three voyages in a season. As upon such boats the convoy duty amounts to more than the tonnage, I think it is for the Company's interest not to attempt to enhance this duty. The amount collected was Rs. 1290.

"(*g*) All private ships that take in water at this port pay Re. o. qr. 1 res. 60 a ton for the same. The amount of the pier and waterway duty is small and will not admit of any considerable addition. The collections were Rs. 398.

"(*h*) Account freight is very uncertain. Goods are freighted on such terms as can be settled. All gold and silver belonging to black merchants brought on the Company's ships or vessels from Persia or the Red Sea, pay 2 per cent. and from Basra 27 the thousand, and what belongs to the Company's covenant servants pays 1 per cent. Should this duty be augmented the merchants would freight on other vessels on more easy terms. It is certainly the Company's interest to continue the rate as hitherto. The encouraging the merchants to freight their money to this island is of very great consequence to the Hon'ble Company as well as to the merchants of the place. For the greatest

part of the silver freighted on the Company's vessels is coined in our mint; whereby the Company receive an advantage, besides the freight. And the proprietors of such silver being generally the northern merchants export near the whole amount of it in goods, which tends to the benefit of the island and the increase of the Hon'ble Company's customs. The realizations in 1735-6 were Rs. 13,265.

[1] "(i) All ships that take our pass pay one rupee the ton to the Company, which duty is also collected on the English ships from the other side of India. Also all foreign boats belonging to the inhabitants of Cutch, Sind and other places are obliged to take our pass and pay the said duty of one rupee a ton. Many of those people think it very hard to be obliged to take our pass on such terms, pleading that without passes their vessels and boats would be as safe from any of the pirates who infest this coast. Therefore, whether it will be prudent to attempt increasing this article of the Hon'ble Company's revenue and hazard the whole by disgusting these traders must be submitted to their consideration. The amount collected here and at Surat in 1735-36 was Rs. 6184".

In 1744 a set of orders for the guidance of the Bombay Customs Master was published, in which it was ordered that all merchandize imported by Europeans, subject to certain exceptions, should pay a duty of 4½ per cent., of which 1 per cent. was allocated to the Town Ditch and ½ per cent. to the new Custom House. Goods imported by native merchants in three-masted vessels paid 4½ per cent.; but when imported in smaller vessels paid an additional 2 per cent. towards the cost of the Town Walls. Grain and timber exported by native merchants paid a duty of 5 per cent.[1] In 1747, the Court wrote to Bombay that they did not think it reasonable that merchants should pay customs duties on goods that had not been landed, nor that they be any longer charged for the Town Ditch or Walls, as their engagements upon these heads had been fully complied with. From what date the duties were abolished is not

[1] Bombay Gazetteer Materials, III,

known. In 1752 a special 1 per cent. duty *ad valorem* was levied in addition on the value of all goods imported and exported at Bombay and Surat in ships hired of the Company and in all country ships and vessels whatsoever, that were entitled to the Company's protection and bore the English colours, subject to the proviso that the said duty was not to be levied on shibars, galivats and boats that supplied the island of Bombay with timber, wood, fruit, grain, cattle or provisions of any kind from the adjacent rivers and countries. In 1765 the Bombay Customs Master brought to the notice of Government instances of evasion of payment of duty at Surat by merchants purchasing cotton at Jambusar instead of Surat and afterwards landing it at Bombay for exportation. In order to prevent this, Government ordered that all goods coming from the northward, notwithstanding that they might have been landed for exportation, should pay the usual duties, unless they could produce a certificate of their having paid them at Surat, and that the duty on cotton be levied agreeably to its valuation there. The Customs Master was likewise ordered to oblige all merchants not under the Company's protection, bound from the southern to the northern ports, who came in at Bombay for the benefit of convoy, to deliver in an account of their cargo upon their arrival. On this cargo the Customs Master was ordered to levy the duties, valuing the same 10 per cent. under the market price. The same rule was ordered to be observed also with respect to all merchants under the Company's protection, who proceeded to the northward without landing their goods at Surat. But such as declared their intention of proceeding to Surat and landing their goods there were exempted from the above rule. Government also made it a standing rule to levy customs on all goods imported and remaining unsold on the 31st July every year at the market price the respective goods might bear at that time.

The customs collections at Bombay during the nineteen years ending 1778-9 fluctuated between Rs. 1,57,000 (in 1761-62) and Rs. 3,25,000 (in 1777-78) and averaged about Rs 2,01,000 in the first ten years and about Rs. 2,84,000 in the last nine.

The first Customs Regulation (Regulation VI of 1799) was passed in 1799 and was "principally founded on the Regulation passed by the Bombay Government in 1795, in pursuance of orders of the year preceding from the Court of Directors and with various subsidiary rules now reduced into form." Under the Regulation an import duty of 2½ per cent. was levied on manifest prices with an established advance, grain was exempted from duty, and export duties were withdrawn. Duty was also collected on arrack and tobacco imported by farmers according to their leases. A duty of Rs. 100 was levied on each slave imported. In 1805 the above regulation was amended and an addition of 1 p.c. was made to the rate of duty, raising it to 3½ per cent. This additional duty was originally intended to cover the expense incurred in protecting trade by means of armed vessels and the Company's Marine. Under 'Land Customs' a town duty was established at Bombay by a Regulation of 1803; and the Customs Master was directed to collect it This duty was 4 per cent. upon the prime cost, with advances as in the case of the sea customs at Bombay. The articles liable to this duty were shawls, pepper and spices, sandal-wood and rose-water, sugar and molasses, oil, ghi and turmeric, tobacco, betel-nut and leaf, piece-goods, wax candles and saltpetre. Wine, beer and liquors were subjected to certain fixed duties. Cotton paid one rupee per *khandi*. Certificates from the other Presidencies, exempting from sea customs at Bombay, were not to exempt from the town duty, if the goods were otherwise liable thereto. Certain of these articles for re-exportation were allowed to be warehoused. But the privilege of drawback was withheld on re-exportation of any articles taken out for town consumption on payment of the duty. This town duty was abrogated in 1805, but re-imposed on May 1st, 1810. Ghi, turmeric, oil for culinary purposes, betel-nut and leaf were excluded from the above list, and China piece-goods and nankeens added to it; as well as *bhoeesing*, *cocum* and tamarinds, which latter were thenceforth to be exempted from sea-customs. Town duty was imposed upon pearls, precious stones and jewellery.

The rules of the port of Bombay remained unaltered till 1813, when the general regulation passed by the Court of Directors for the conduct of the trade of British India with foreign nations was promulgated for the three Presidencies. This and the subsequent Regulations, enacted by order of the Court for the port of Bombay were nearly word for word the same as those for the other Presidencies.[1] Under this Regulation the rate of duty at Bombay upon goods imported in foreign bottoms was raised from $3\frac{1}{2}$ per cent. to $4\frac{1}{2}$ per cent. with the advance of 60 per cent. as before, which made the rate of duty $7\frac{3}{16}$ per cent. On exports it was fixed at $3\frac{1}{2}$ per cent. on the invoice value for goods purchased at Bombay, which, with the original import duty of $3\frac{1}{2}$ per cent., averaged about the same as the import duty of 7 per cent. In 1815 when the trade between Great Britain and India was rendered, with respect to some articles, free, and the duty on others was reduced to $2\frac{1}{2}$ per cent., the port of Bombay shared in the benefit of the reduction of duty; and by a special enactment, published in 1817, the duty on goods coming from other European countries in British or registered ships, which in 1815 was at the three Presidencies fixed at 5 per cent., was at Bombay again reduced to $3\frac{1}{2}$ per cent., being the rate of duty levied prior to promulgation of Regulation XIII of 1815. Imports of British goods originally imported by British ships at any port in the Company's territories, and coming thence under certificate to Bombay or any subordinate port were declared free. And at the same time British free imports were, on import from Bombay at any subordinate port, admitted to free entry. The rule originally obtain-

[1] The only enactments of a strictly local nature passed between 1805 and 1827 were one (II of 1810) for the regulation of the port of Bombay, embodying the rules for anchoring, port clearances, ballast, docks, pilotage, light-house and other dues, and matters arising out of the resort of ships to the port, but not connected with the customs or the passing of goods; one (VI of 1811), authorizing confiscation and sale of smuggled goods, conveying, in fact, a power hitherto wanted to legalize the acts of the officers of the Customs within the jurisdiction of the Recorders, now the Supreme Court; one (VIII of 1816), defining rules for entering manifests of country boats and one (II of 1826) for punishing bribery on the part of the customs officers. Report of Commissioners relative to the Customs and Post Office systems, India, pages 43-51, 1851, by J. C. Melville.

ing at Bombay was that all goods landed expressly for re-exportation as well as those transhipped in the harbour must pay the same duties as other goods and no drawback or exemption whatever was to be allowed. It was however modified in 1815 under the law then promulgated at all the three Presidencies for trade with United Kingdom and the whole duty on indigo, cotton, wool and hemp, the produce of British India, exported to the United Kingdom[1] was returned in drawback, and so much drawback was allowed on the export of all other articles as would reduce the amount of duty retained to 2½ per cent. In 1827 a new regulation for the Port of Bombay and for the conduct of trade with foreign nations and with Great Britain was promulgated. It maintained the regulations for the Bombay town duties with certain modifications and provided for a tariff valuation, founded on a comparison of the invoice value of goods for the past three years with the market rate of such goods during the same period. This tariff was to be revised every three years by a committee composed of the Collectors of sea customs and land revenue of Bombay, with two more respectable merchants.[2] Meanwhile the inconvenience of the system under which the town duty was levied, led to a new arrangement, embodied in a new regulation of 1834, whereby a 1½ per cent. duty was substituted for the old 4 per cent. duty, and all drawback was withdrawn except on goods exported direct to the United Kingdom, and then only to such extent as would reduce the total duty payable to Government to 2½ per cent. In the same year the duty on cotton was fixed at a uniform rate of 5 per cent. on the tariff valuation, and all transit duties upon it were abolished.

For the six years ending 1834-5 the average annual receipts from sea customs were Rs. 9,77,000. The general

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[1] In 1819 the title of Custom Master of Bombay was altered to "Collector of Customs and Town Duties."

[2] When the regulations were remodelled in 1827 the provisions relating to wines and liquors in the regulations of 1803 and 1810 were, by an oversight, omitted, thus freeing those articles from town-duty. This oversight was remedied in 1835.

trade contributed Rs. 5,53,000. The following statement shows the rates of duty levied between 1799 and 1835 :—

	Aggregate value including advance per cent. of rupees.	Rate of Duty by Regulation.		
		VI. of 1799.	I. of 1805.	X. of 1813 and II of 1821.
	Rs.	Rs.	Rs.	Rs
Duty on Imports.				
On foreign bottoms	160	$2\frac{1}{2}$	$3\frac{1}{2}$	$4\frac{1}{2}$
On Europe, China and other foreign goods from Goa or other foreign European ports in India.	160	$2\frac{1}{2}$	$3\frac{1}{2}$	$4\frac{1}{2}$
On imports from Europe by the Gulfs of Persia and Arabia on all vessels, British, foreign or native.	160	$2\frac{1}{2}$	$3\frac{1}{2}$	..
From Batavia	125	$2\frac{1}{2}$	$3\frac{1}{2}$	..
From China and the Cape of Good Hope	120	$2\frac{1}{2}$	$3\frac{1}{2}$	..
From the Coromandel Coast, the Persian and Arabian Gulfs, Africa and Malacca.	115	$2\frac{1}{2}$	$3\frac{1}{2}$	..
From the Malabar Coast, (not British) Goa, Guzarat, Cambay, Cutch, Sind, Mahratta Ports, Pegu.	110	$2\frac{1}{2}$	$3\frac{1}{2}$	..
Trade with the United Kingdom	100	$2\frac{1}{2}$	$3\frac{1}{2}$	$2\frac{1}{2}$
For all other cases	100	$2\frac{1}{2}$	$3\frac{1}{2}$	$3\frac{1}{2}$
Duty on Exports.				
Of such articles as may have been purchased at this port, and exported on foreign bottoms, or exported under British or foreign colours to Goa, &c., foreign European ports in India and ultimately intended for Europe, China or any foreign Asiatic State.	100 Invoice valuation.	None.	None.	$3\frac{1}{2}$

From 1859 to 1864 the general rate of import duty was 10 per cent., this heavy rate having been imposed by the Government of India as one of the means of redressing the financial position which had been seriously affected by the Mutiny of 1857. The rate was found to be so high that it operated to restrict consumption, and in 1864 it was reduced to $7\frac{1}{2}$ per cent. The general rate of export duty from 1859 to 1867 was 3 per cent. Many articles were subject to taxation in 1859, but the list was gradually reduced until, in 1867, it consisted of cotton manufactures, indigo, rice, wheat and other grains, tanned and dressed hides and skins, lac, oils, seeds, spices and shawls. The import rate of $7\frac{1}{2}$ per cent. was further reduced in 1875 to 5 per cent. In 1878 the question of abolishing the customs duties was raised.[1] The Government of India desired to give full play to free trade principles and the Lancashire cotton manufacturers finding a competitor in the growing Indian industry were pressing for the removal

[1] For further details see Imperial Gazetteer of India, Vol. IV.

of the artificial advantage given to the latter by the 5 per cent. duty. The first step was the repeal of the duty on cotton goods containing yarns not finer than 30's[1] if similar in character to goods already manufactured in India. Railway material was exempted from duty and about 25 minor items were removed from the dutiable list. In 1882 Government abolished the rest of the cotton duties and all the general duties except those on liquor, arms, opium and salt. Until 1894 no further import duties were levied, except a duty of half-an-anna per gallon on petroleum, first levied in 1888.

Until 1860 the bulk of the export trade was taxed, and the general rate in that year was 3 per cent. *ad valorem.* Many articles were exempted between 1860 and 1865, and by 1874 the list comprised only cotton goods, grain, hides, indigo, lac, oils, seeds and spices. In 1875 it was further reduced to oil, rice, indigo and lac: but in 1880 the duty on lac and indigo was remitted, and from that date rice has been practically the sole source of export revenue.

In 1894 the heavy burden thrown on the Government of India by the fall in exchange made it necessary to consider how to increase the revenue. The import duties were reimposed and the tariff was re-established by the Government of India much as it had stood in 1875 subject to some alteration and to a revision of valuations. Imports generally were subjected to duty at the rate of 5 per cent., but a few articles remained exempt from duty, the most important being food-grains, machinery, railway materials, and coal, cotton yarn and manufactured goods. Most classes of iron and steel were taxed at the low rate of 1 per cent.

In December 1894 cotton yarn of a certain fineness and cotton manufactures containing such yarn were made dutiable at the general rate of import duty (5 per cent.), but a further change was made in February 1896, when cotton yarn and cotton securing thread were exempted from duty, and the rate of duty on all other cotton goods, irrespective of fineness, was reduced to $3\frac{1}{2}$ per cent. This

[1] Cotton yarns are said to be of 20's, 30's, &c. counts when not more than a like number of hanks of 840 yds. go to the pound avoirdupois.

reduction in duty and the encouragement given to speculative purchases by the exaggerated reports circulated in 1896-97 as to the shortness of the American Cotton crop, led to an increase in the Bombay imports to the extent of nearly a crore of rupees in value, the total amount being 726¼ lakhs.

In 1896 the exemption of machinery was restricted to machinery required for certain specified industries, and from time to time additions were made to the industries. In 1899 the restriction was removed, and all machinery was exempted without reference to the industry for which it was required. In 1894 a special import duty on sugar in certain cases was levied. With effect from March 1899 a countervailing duty was imposed on bounty-fed beet sugar from foreign countries, that it might not affect the Indian industry and with the intention of counteracting bounties paid directly or indirectly by foreign Governments. The manufacturers in the chief beet-growing countries obtained high prices in the home markets, owing to the operation of the protective duties, so that they were able to sell their surplus stocks at rates considerably below cost prices. Further duties were therefore imposed in 1902 on sugar imported from countries which by their protective system rendered possible the formation of trade combinations to manipulate the price of sugar. A customs duty, at the rate of a quarter of a pie per pound, has also been levied from the 1st April 1903, on all tea produced in India and exported from any customs port to any place beyond the limits of British India, the collections being paid to a Committee for promoting the sale and consumption of Indian tea.

The customs receipts from 1800-01 down to 1908-09 are given in appendix I. The gross receipts of the Customs at Bombay during the year 1907-08 amounted to Rs. 227 lakhs and were the highest on record at Bombay. The export receipts, which were derived from the duty on rice and rice flour exported to foreign countries, aggregated Rs. 2 lakhs and the receipts from imports were Rs. 224 lakhs.

Cotton Duties.

Act XVII of 1894, which imposed a 5 per cent. duty on cotton yarn over 20's count spun in British Indian mills, came into force on the 27th December 1894, and was repeal-

ed with effect from the 22nd January 1896. On the 3rd February 1896, a new Act (II of 1896) was promulgated, which imposed a duty of 3½ per cent. on cotton goods produced in British India, "cotton goods" being used to denote all manufactures of cotton except yarn and thread. The duty thus leviable is collected by the Collector of Bombay in the form of an assessment on the monthly returns of cotton fabrics issued from the mills, exemption from assessment being granted in the case of all fabrics exported to "declared" foreign ports. The tariff values for the various classes of cotton goods are from time to time revised. The revenue collected under the old Act from mills in Bombay city amounted to about 4¾ lakhs; and when the new Act came into force in 1896 the stocks of cloth awaiting issue from the mills on the date of the passing of the Act were allowed to be issued free. These stocks amounted to about 1½ million lbs., and took nearly two years to pass entirely out of the mills.

The following table shows the revenue collected under the Cotton Duties Act from mills in Bombay city since the year 1896:—

Year.	Number of Mills.	Quantity of cloth produced.	Net collection of duty.
		Lbs.	Rs.
1896-97	33	4,831,476	6,02,000
1900-01	32	58,239,742	7,16,000
1905-06	41	95,592,707	15,68,000
1908-09	44	107,274,581	21,52,000

Of recent years there has been a marked increase in the production of the city's mills. Those which are furnished with both spinning and weaving machinery number 38, and produce annually about 110,000,000 lbs. of cloth (*i.e.*, 71 per cent. of the total produce of the mills in the Presidency) and export about 10 million lbs. The chief classes of goods produced are chadars, long-cloth, domestics, dhotis,

shirtings, T cloth, sheetings, and coloured and fancy goods; and of these long cloth, T cloth, chadars and domestics are the chief kinds exported. The markets for these goods are Zanzibar, Mauritius, Aden, German East Africa, Portuguese East Africa, Persia, Hongkong, Shanghai, Arabia and the Straits Settlements.

Salt Revenue *General History.*

At the earliest period of which record remains, there appear to have been salt-works in the northern portion of the island. In 1686, for example, the Padre Superior of Bandora was summoned for converting the Company's fishing-weir at Rauli into a salt-pond, and in 1731 about Rs. 800 were expended in enlarging the salt-pans at Vadala. The system in vogue in the middle of the eighteenth century was that "the Kulambis or husbandmen" manufactured the salt and paid the Company a *toka* (rent) or moiety of the annual product of the pans, which were in charge of Portuguese stewards directly responsible to the Company's revenue officials: while the rules regarding the export and sale of salt laid down that for the first two or three months of every year, or until 50 *ras* had been sold, the Company alone had the right to sell salt; and that on the expiry of that period the sales by the Company (on behalf of themselves and of the Kunbis) and the sales by private salt-manufacturers should be in the ratio of two-thirds to one-third. In 1751 all the salt-pans, belonging both to the Company and private persons, were farmed out together for a period of seven years at the rate of Rs. 9,725 a year, the joint farmers being Bhiku Sinay (Shenvi), Newrekar and Manoel Texeira. The farmers were permitted to sell at what rate they chose, to export whither they pleased, and to maintain an entire monopoly of sale, so long as they had any salt to dispose of. On the expiry of the term of this contract a petition was received by the Council from the inhabitants of the island, who alleged that the farmers charged too high a price, sold very impure salt, and would not deliver salt from house to house, as the Kunbis formerly did. In consequence, the new contract of 1758 contained more stringent provisions, the chief of which were that the retail price of salt should never exceed by more than 50 per cent. the price paid at the pans, that the Collector should regulate and publish

the selling-prices once a fortnight, and that the farmers should always maintain twelve retail-shops open every day from sunrise to sunset in different localities.[1]

This system of periodically farming out the salt-pans at Matunga, Rauli, Vadala, Shaikh-Misri, and Sewri proper seems to have continued until the early portion of the nineteenth century.

The later history of the salt-revenue of Bombay city cannot be dissociated from that of the salt-revenue throughout the Presidency. As early as 1816 the question of organizing a regular revenue from salt attracted the attention of the Bombay Government, and in 1823 they submitted to the Court of Directors a proposal to establish a salt-monopoly, similar to that at Madras, at a maximum selling-price of 45 pounds to the rupee, or Rs. 1-13-6 per Indian maund, which was estimated as equivalent to an annual tax of 4 annas per head of population. This proposal was however negatived, on the grounds that the Bombay Presidency was still unsettled and depressed, and that such a monopoly might cause a scarcity of salt. Three years later (1826), however, both the Court of Directors and the Bombay Government approved of a suggestion of Mr. Bruce, a member of the Bombay Customs committee, to substitute an excise duty on salt, equivalent to annas 6⅓ per Indian maund, for the various transit and town duties, taxes on crafts and professions, and similar cesses then in existence. Much correspondence took place on the question; and in 1836 the whole proposal was referred for decision to the Indian Customs committee, then sitting in Calcutta, which came to the conclusion that an uniform excise and import duty of 8 annas per maund on salt was the most suitable method of replacing the objectionable transit-dues. Accordingly Act XXVII of 1837 was passed, which imposed an excise-duty of 8 annas per maund on all salt delivered from any work in the territories of the Bombay Government, forbade the manufacture of salt without previous notice being given to the Collector, and em-

[1] For further details of prices, quantity exported between 1735 and 1748, and for the full text of the farm-contract, see Bombay Town and Island Materials, II., 164-175.

powered the Collector to arrange to keep accounts of all salt manufactured and stored and to prevent smuggling.

This Act was followed by Act I of 1838, which established a revised system of sea and land customs, imposed an import-duty of 8 annas per maund on salt imported from foreign territory, and abolished the transit-dues which had been suspended in 1837. The practical effect of this measure, which also provided for preventive cordons and abolished various petty taxes amounting to about 6¾ lakhs a year, was a loss on transit-dues of 16·6 lakhs and an average annual revenue from salt of 14 lakhs. To recoup the net annual loss of 2½ lakhs, the excise-duty on salt was raised by Act XVI of 1844 to one rupee per maund, being subsequently reduced to 12 annas per maund, in accordance with orders received from the Court of Directors; and to obviate the smuggling which the rise in duty tended to produce, Act XXXI of 1850 was passed, which legalized the levy of an import and export duty equal to the excise-duty and imposed various measures on unauthorized manufacture of and traffic in the commodity. In 1856 there were 22 salt-works, which produced annually about 600,000 maunds of salt.

The financial difficulties of 1859 urged the Bombay Government to increase the excise-duty; and after the question had been referred to a committee, composed of the two Revenue Commissioners and the Commissioner of Customs, the rate was enhanced, with the approval of the Government of India, to one rupee per maund on the 17th August in that year. In 1861 the rate was enhanced to Re. 1-4-0 per maund, the increase being legalised by Act VII of 1861, which empowered the Governor-General in Council to raise the Bombay tax to Re 1-8-0 per maund; in January 1865 it was raised to Rs. 1-8-0 by notification; in 1869 it was increased to Rs. 1-13-0 and again in 1877 to Rs. 2-8-0 per maund. A slight reduction to Rs. 2 was effected in 1882, but in 1888 it was again found necessary to raise the rate to Rs. 2-8-0, which subsisted unaltered for fifteen years. A large surplus of revenue, however, enabled the Government of India to

reduce the tax to Rs. 2 in March 1903, and again to Re. 1-8-0 in March 1905. Act X of 1882, it may be noted, empowers the Government of India to raise the salt-tax to Rs. 3 per maund.

The increase in production and in sale throughout the Presidency necessitated the formulation of an elaborate system for checking the trade in contraband salt, which was described by Mr. Plowden in 1856 as having attained large proportions in Bombay. Accordingly Mr. W. G. Pedder was appointed in 1869 to enquire into the salt administration of the Presidency, and in 1870 submitted a report showing that the contraband trade in salt amounted to more than 800,000 maunds a year; that all the salt used in Bombay city as well as 31,000 maunds exported from it was smuggled salt, and that the bulk of the smuggling took place at the regular salt works. To put a stop to this illicit traffic, Mr. Pedder also formulated exhaustive proposals, which contemplated *inter alia* the stoppage of the free export of salt to Calcutta and the Malabar Coast, and the formation of a new Salt Department under a Collector and Assistant Collectors, aided by a strong staff of Preventive and Coast Guard Officers. These proposals were approved by the Bombay Government and by the Government of India in 1871, and Mr. (afterwards Sir Charles) Pritchard was appointed to carry out Mr. Pedder's suggestions and to draft a new Salt Act which eventually came into force as Act VII of 1873. Mr. Pritchard had no easy task before him; but in spite of considerable opposition and an actual strike among the salt-makers, the new arrangements were introduced by him during 1874 and 1875 with what the Secretary of State characterized as "great intelligence" and "remarkable success."[1] Until the passing of Act V of 1882, the Collector of Salt Revenue was directly subordinate to Government, their immediate superiority being vested by that Act in the Commissioner of Customs, Opium and Abkari as Commissioner of Salt Revenue; and some further changes in the powers exercised by local officers were introduced by the Bombay

[1] Secretary of State's Despatch to the Government of Bombay, No. 2 of the 20th April, 1876.

Salt Act of 1890, which superseded the Act of 1873 and is still in force.[1]

Revenue and market price.

The manufacture of salt is only permitted under a license from the Collector of Salt Revenue, and no salt can be removed from a salt-work without a permit signed by the Sarkarkun. Besides the salt-tax a ground-rent at the rate of 3 pies per maund is recovered on salt sold and is credited as salt-revenue.[2] The duty on salt is recovered at the office of the Collector of Salt Revenue in Bombay city, where the trader is furnished with a receipt which he presents to the Sarkarkun, together with his application for removal of salt. If the trader executes a bond and deposits securities in promissory notes, he is permitted to remove salt on credit. The ground rent charges are paid in cash in the Sarkarkun's office at Matunga. All salt is checked by the Preventive officer at Matunga before removal to Bombay for local consumption or for consignment to other places. Under the orders of Government Matunga Salt is now (1909) issued free of duty for industrial purposes to various companies. The rate at which salt is sold at the Matunga works varies from one pie to 2 annas per maund, the greater portion being sold at one anna per maund. Formerly the prevailing rate was 2 annas; but the recent reductions in duty have resulted in a considerable reduction of prices, inasmuch as the trade on the one hand is expanding and on the other hand the capital required to finance it is about 37 per cent. less than it used to be.

Smuggling and Preventive Measures.

The repeated enhancements of the salt-tax up to 1888, coupled with a special demand for Bombay salt, engendered a large increase in revenue, which rose from 1¼ lakhs in 1840 to 25 lakhs in 1902-03. The increase is also partly due to additional salt works opened during the last 25 years.

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[1] For further information see Mr Pedder's report of 1870, the memorandum of the Government of India and the report of the Salt Committee of 1904.

[2] The Wadia Mahal salt-works at Matunga, being situated on Inam land, are exempt from this charge.

The subjoined table shows the annual average production, sales and revenue of the Matunga salt-works from 1860-61 to 1908-09 :—

Period.	Produce in maunds.	Sales in maunds.	Revenue. Rs.
Ten years ending 1869-70...	668,623	644,318	93,443
,, ,, ,, 1879-80...	562,513	539,749	8,23,340
,, ,, ,, 1889-90...	630,163	588,529	11,53,648
,, ,, ,, 1899-1900.	820,513	801,742	19,89,577
Five years ending 1904-05.	1,036,793	954,350	21,29,427
For the year 1908-09.	965,333	910,064	8,83,751

Excise.

From the earliest period of British rule in Bombay, revenue was derived from the manufacture and sale of liquor, and the fact that there were two *bandvastaes* or distilleries on the island at the time of the cession seems to show that the Portuguese Lady of the Manor also derived a certain amount of revenue in this manner. Subsequent to the cession of the island, the earliest reference to the excise administration and revenue is contained in a letter from the Court of Directors to the Council at Surat of March 27, 1668, in which they describe the arrack-farm as yielding 2000 *pardaos* a year, while in 1672 the tavern-rents of the island were declared to have been farmed out for about 300 Xeraphins by Mr. Hill. In 1675 "punch-licenses" yielded 500 Xeraphins, and in 1676 the arrack-farms fetched 5340 Xeraphins.[1] In the latter year also a new tax styled *Rende Verde* or fresh customs appears to have been imposed upon oil, *bhang*, and *mahuda* or mhowra and was farmed out for 1600 Xeraphins, one of the conditions being that no one but the farmer should sell less than a maund (*man*) retail. By 1687 the proceeds of the arrack-farm had risen to 8800 Xeraphins, while in 1694 fresh regulations for the licensing of punch-houses were framed, in which it was laid down that licenses for the retail-sale of all sorts of

[1] Bombay Gazetteer Materials, III, 271.

wine, beer, mum,[1] arrack should be granted only to persons of good behaviour and that fixed tavern-charges should be drawn up "to prevent extortion by the tavern-keepers in taking more for punch or wine than what had been formerly ordered and practised."[2] The receipts from the farm and the licensing of punch-houses gradually rose. In 1737 the liquors sold by retail in the punch-houses were Goa arrack, which paid a duty of Rs. 15 per hogshead; European wine of all kinds paying a duty of one rupee per dozen; Persia or Shiraz wine paying Rs. 5 per chest; drams in cases paying Rs. 5 per case; and brandy and beer, which paid a duty of 8 annas per dozen. The realizations from the punch-house licenses varied from Rs. 1,000 to Rs. 2,000. The arrack-farm rose gradually to Rs. 10,000 a year in 1728 and to Rs. 14,300 in 1734. Latterly they were let by public auction for a term of three years. In 1737 the Company, seeing that the Bhandaris had suffered under this system, advised the letting of the farm to them for Rs. 12,000, in view of their faithful services. This lease expired in 1740 and was again renewed. Shortly afterwards the Bhandaris complained that they suffered hardship under their Mukadam and besought Government to intervene. As a result certain new rules were framed appointing Esaji Naik as administrator of the farm on Rs. 30 a month, with four inspectors on Rs. 10 a month each, who were to ascertain what each Bhandari ought to pay. The rate per tree payable by the Bhandaris was definitely fixed; and the *Chaugulas* and *Patels* of the caste were, in pursuance of an old custom, allowed each to enjoy 36 trees free of all taxes. The general result was that the bulk of the Bhandaris obtained the trees at a smaller price than before and enjoyed the privilege of selling[3] what they distilled in the most profitable manner, while the Company's rent rose to

[1] Mum was a kind of ale brewed from wheat-malt.

[2] Bombay Gazetteer Materials, III, 274.

[3] Prior to 1741 the Bhandaris could sell only one kind of country liquor called *arrack*, which was toddy-spirit of roughly 10° U. P. The two other kinds *phul arrack* (toddy or mhowra spirit) above 10° U. P. and *nipa* (commonly called lip-toddy of 40° to 50° U. P. and styled *urakh* when 70° U. P.) were sold only by the farmer. [Bombay Gazetteer Materials, III, 348—50.]

Rs. 12,500 including the amount of *aut-salami*.[1] The system, however, was still far from perfect, and Esaji Naik appears to have treated many individual Bhandaris with considerable injustice. Consequently in 1742 the administration of the farm was transferred to one Manuel Barretto,[2] who was authorized to levy from each holder of a cocoanut or brab-tree the rates mentioned in the rules of the previous year, and a standing council was appointed to decide all matters of dispute. It was further ordained that "all Goa or country arrack imported from the continent (*i.e.* mainland) should be reported to the manager of the farm for the levy of the tax." In 1743 it was observed that the Bhandaris' monopoly of the arrack farm resulted in the growth of the number of arrack-houses, and consequently in frequent brawls and disturbances in the garrison.[3] The Company therefore decided to discontinue the monopoly and put the farm up to public auction. It was sold to Savaji Dharamset for Rs. 27,000 (including the sum for *aut-salami*), on conditions which limited the sale, distillation and import of liquor, restricted the number of arrack-shops and, to some extent, checked the sale of liquor outside the shops.[4] Three years later (1746), however, the

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[1] To the Rs. 12,000 for the farm was added an extra Rs. 500 a year, which represented the value of an ancient tribute known as *aut-salami* or toddy knife-tax.

[2] Barretto was paid Rs. 20 a month by the Company for this duty.

[3] Bombay Gazetteer Materials III. 353. The Bhandaris were formed into regular bands under their own headmen and had the right if dissatisfied, to petition the officer in command of the Fort Guard who had to submit it to the President in Council.

[4] The following detailed agreement was passed with Savaji Dharamset, and was the first important measure introduced to check the sale, distribution and import of liquor :—

That the said President and Council doth by these presents grant unto Savaji Dharamset the arrack farm and *aut-salami*, or toddy knife-tax, of this island of Bombay for three years at the rate of Rs 27,000 a year to be made good and paid to the said President and Council or their successors in manner following: That is to say two months from the date hereof or on the 1st of October the sum of Rs. 4,500 and from thenceforward on the 1st of every month the sum of Rs. 2,250 until the expiry of this farm. In consideration of these payments the following conditions and privileges are granted the said farmer. That all the Indian inhabitants of this island be forbid to bring or sell on it any sort of arrack commonly called parriar arrack (a native spirit) under penalty of Rs. 50 for every offence, the fine to be divided between the Honourable Company and the farmer. Should they or any

farm was again given to the Bhandaris for a period of five years for Rs. 30,000, in consequence of repeated complaints from them as to the conduct of the farmer. The term was extended to five years, as the Bhandaris represented that "the first year will chiefly be spent in preparation for carrying on the business." On their side the

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foreign merchants bring Goa arrack for sale and shall not be able to vend the same to the English inhabitants, the importer in such case shall be obliged to tender it to the farmer. Upon his refusing to buy it the importer may then be at liberty to sell it to any of the country people the buyer paying the farmer one rupee a (*man*?) for such liberty. At the same time the buyer shall be obliged to sell not less than one-eighth part of a hogshead at one time on penalty of Rs. 50 for every offence, to be divided as aforementioned. No Bhandari shall distil arrack of any kind without leave from the farmer. Upon his obtaining leave he shall be obliged to sell such arrack to the farmer at Rs. 2-3-0 the Bombay *man* of 50 *sers* as hath been customary. Neither shall the Bhandari buy or sell any arrack on penalty of Rs. 50 to be divided between the Honourable Company and the farmer. In case any of the caste of people called Parsis or others shall buy or distil for sale or distil for use any arrack or spirits the person so offending shall be liable to the aforesaid penalty to be divided as aforementioned. The farmer may set up three shops for selling arrack at Bombay to the European soldiers and sailors namely one at a convenient distance without each of the town gates and in like manner one at Mahim and one at Sion. He may set up other shops for selling arrack to the natives to such a number as he shall think proper, the Honourable Company allowing ground for that purpose as well as for the five shops permitted as aforesaid. All charges of building shall be on the farmer's account. The farmer shall not sell or permit to be sold by those under his direction any kind of arrack to the European soldiers or sailors at other shops or places than at the five shops mentioned in the foregoing article under the penalty of Rs.50 for each offence to be paid to the Honourable Company. Nor shall he entertain any European soldiers or sailors after sunset, or suffer them to be drunk at his shops. In case any such soldiers or sailors will not depart or return to the barracks then the farmer or his people shall give notice to the officers of the gates who will send a guard for them. But if the farmer or his servants shall neglect to acquaint the officers, the farmer shall be fined Rs. 50 and the servants punished as they may deserve. Should the selling country arrack to such persons be forbidden the farmer must pay a strict regard to all such orders or be liable to the fine already mentioned in this article for every such offence. The farmer shall sell his double distilled arrack at 7 pice the *ser* and single distilled at 4 pice the *ser* full measure, and without any mixture of water so that any person buying arrack shall see that it is good and full measure before he carries it from the shop. If it proves bad or short in measure the person so endeavouring to impose upon the buyer shall, if the buyer insists upon it, go with him and carry the arrack to the clerk of the market. If the complaint be found just the farmer or his servant shall be subject to the penalty of 16 *laris* for every offence to be paid to the clerk of the market as was formerly customary. No complaint shall be admitted after the arrack has been carried by the buyer from the shop. The fazindars of this island shall be obliged to let the Bhandaris have three cocoanut

Bhandaris undertook to take over the arrack remaining in the former contractor's hands and to pay for the shops built by him and for all utensils belonging to the farm.[1] Under this new contract the Bhandaris obtained the right of selling arrack to the natives at their own houses outside the town, and Manuel Barretto, who stood security for

trees in the 100 for drawing toddy at the price of six pice the month for each tree as hath been customary. Further as the fazindars have allowed the Bhandaris a greater number of trees than the three per cent. aforementioned at their own rate, they shall not take them away during the term of this lease and the farmers of the Company's oarts on this island shall allow the said farmer three trees out of every 100 at the customary rates. But the farmers of the oarts may let the farmer of the arrack rent have in the whole to the amount . . . the thousand trees upon the terms they shall agree with. The Bhandaris, who may have leave from the farmer to draw toddy and distil arrack shall pay him monthly for each tree ten and twenty pice or 50 and 100 *res*, that is, they shall pay 10 pice or 50 *res* for the trees hired from the fazindars at their own rates and 20 pice or 100 *res* for the trees which he has as the three per cent. on the said fazindar's estate. That should the farmer suspect or have notice of any persons distilling or selling arrack, he has liberty to make search with the proper officers as hath been customary. And in like manner he may examine any boats or vessels, and where any arrack, except such as by these articles is allowed to be imported, or utensils for distilling it are found they shall be forfeited and the party offending be fined Rs. 50 to be divided between the Honourable Company and the farmer. That the *mukadam*, Esuji Naik, four *chaughulas* and three *patils* of Bombay with five *patils* of Mahim shall be obliged to assist and serve the farmer receiving no more than is customary for such assistance. That is the *mukadam* shall have two coits and each of the *chaughulas* and *patils* one coit. From the two coits the *mukadam* may as usual make arrack and sell in his own house. He must not sell it elsewhere without being subject to the penalty aforementioned. And although the *chaughulas* and *patils* may distil their coits, they must as hath been customary sell such arrack to the farmer or be liable to the fine aforementioned. In case the farmer shall receive damage in his farm by any unforeseen accident, such as war, dearth, famine, pestilence, or the like, the Company will make him such an abatement in his rent as may be judged reasonable by the Governor and Council or by any other chosen for that purpose. Should the farmer for the recovery of his debts and dues have occasion to put any of the Bhandaris under charge of the guard the several officers at the gates, custom-house, and outposts will be directed to receive such person, and to give the farmer in all other respects such assistance as hath been usual heretofore. He shall also be allowed six sepoys for collecting his debts and every Bhandari that shall be delivered into the custody of the guard must pay no more than six pice at his release. In confirmation whereof the said President and Council have caused the common seal of the said Honourable Company to be affixed in Bombay Castle this day of August 1742. By order of the Honourable W. Wake, Esq., President and Governor and Council of Bombay.

[1] Bombay Gazetteer Materials, Part III, 360.

them, was entrusted with the administration of the farm. On the expiry of each period, the contract was renewed, and the farm remained in the hands of the Bhandaris until 1775.

Changes, however, were gradually introduced to restrict the distillation and sale of liquor. The fazindars of the island, for example, had for many years enjoyed the privilege of drawing toddy without paying anything to the farm, they in return allowing the Bhandaris to tap as many trees on the fazindari estates as they pleased on reasonable terms (*i.e.*, one rupee for every six or eight trees). This privilege was withdrawn in 1757. Another measure designed to check the illicit distillation of arrack was the vesting of the right of purchasing imported mhowra liquor in the farmers on condition that they should give to certain authorized Parsi distillers such quantity of the spirit at prime cost as was required for the use of themselves and their families.[1] A quaint reflection of the political circumstances of the latter half of the 18th century is found in the contract of 1760, which laid down that the Bhandaris should furnish 600 sepoys, without any pay or allowance, whenever called upon to do so by the Bombay Government.[2] The value of the arrack farm in 1760 was Rs. 38,000. This system of arrack-farming continued until 1804.

At the opening of the 19th century, the monopoly of the sale of country liquor and toddy was farmed yearly or for a term of years at the option of Government.[3] Regulation I of 1804, under which this arrangement was continued, provided among other things that no mhowra should be imported for distillation except on a permit from the farmer under a license issued by two Justices of the Peace and countersigned by the Collector of Land Revenue.[4] The farmer levied on such mhowra a duty of 100 per cent. *ad valorem* and Government duty at 3½ per cent. Mhowra imported merely for private consumption was admitted

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[1] Bombay Gazetteer Materials, Part III, 478.

[2] *Ibid.* 483.

[3] C. W. Bell's Report of Oct. 1st, 1869.

[4] The Bench of Justices was deprived of this power by Government of India Act XVIII of 1840.

under a permit from the farmer and paid only the Government duty. The import as well as the manufacture and sale of country spirits by any one except the farmer was forbidden. Spirits and *aqua ardente* from Goa might be imported only in casks, containing of the former 35 gallons and of the latter 4½ gallons ; but its sale to the native inhabitants of the island was confined to the farmer. The farmer granted licenses for the sale of sweet and fermented toddy and of vinegar made from toddy, with the sanction of the Collector and two Justices of the Peace. The retail-rate for spirits and toddy was fixed ; and the Bhandaris who tapped the trees had to obtain a license from the farmer before they could sell toddy or vinegar, and had to pay 5 and 6 *reas* per *banda* of 2 sers. The importation of Goa spirits for the use of taverns frequented by Europeans was allowed under a permit, and formed no part of the farm. European spirits, Batavia or Ceylon arrack, and Bengal rum were also free from the farmer's interference, but could be sold to natives only wholesale. In 1812 the sale of country arrack and foreign liquor in any quantity and of any description was prohibited, except under a licence from the magistracy ; and this rule was in 1815 extended to the retail sale of toddy and all other fermented and intoxicating liquors. At this date the farmer seems to have distilled spirits in fixed places under supervision similar to that exercised in *sadr* distilleries. But some few years later these distilleries were declared a nuisance and were removed to Karanja island, it being held that stricter supervision could be maintained there than in a large city. In the meanwhile Government took into their own hands the levy of the duty upon toddy.

In 1830 this duty was again given in farm for a period of three years and new rules for its levy were promulgated. The rate fixed was four annas per month for each cocoanut tree and for each brab tree in Bombay proper. In Mahim a lower and variable rate was fixed on brab trees. The juice of the date-palm was always sold as sweet toddy, and the duty thereon levied at the old rate of 5 *reas* per *banda* or measure of 2 sers. A still-head duty was also imposed of 8 annas a day on a still for the manufacture of the produce of 60 trees. In 1832 an impost of

8 annas was levied on date trees in lieu of the rate per *banda* of juice, and the prohibition against the distillation of the juice was removed. The farming of these duties was not successful; and so on the passing of Regulation X of 1833, which legalized the above-mentioned impost excepting the still-head duty, the Collector resumed the management of the Abkari revenue. The licenses granted under this Regulation required that 30 or 60 trees should be taken up by the licensees, for one month certain if cocoanut trees, and for one year certain if date or brab trees. When the system was in full working order, the Bhandari usually had to pay the following amount annually:—

Per tree.	To the owner of the tree.	To Government.	Total.
Cocoanut ...	Rs. 6	Rs. 3	Rs. 9
Brab	Rs. 1 to 1½	Rs. 1½ to 3	Rs 2½ to 4½
Date	Rs. ½ to 1½	Rs. 2	Rs. 2½ to 3½

About 1840 no license was granted for less than 60 cocoanut or brab trees or 700 date trees.[1] A proposition was submitted by the Collector of Bombay in 1841 to withdraw from the Bhandaris the permission to distil and to establish a central distillery. This formed the commencement of a lengthy discussion regarding the advisability of establishing *sadr* distilleries in Bombay, which was not concluded till 1847, when Government objected to them on the score of scarcity of water in the island and the probability of their becoming a nuisance. In 1842 the Collector recommended that the proprietors of the gardens, in which toddy-yielding trees grew, should be called on to pay the abkari cess, as they were the owners of the trees, and should therefore be held responsible for the revenue leviable thereon. This recommendation resulted from an enquiry which showed that for some years

[1] Mrs. Postans in 1839 described the sale of toddy as the most profitable trade in Bombay. "On account of the great and general use of this intoxicating drink Government has been forced to issue an order forbidding the existence of toddy stores within a regulated distance of each other. So great is the use of this liquor that the Magistrates have been constrained to remark that the increase of depravity and crime has been more rapid since toddy-stores have become general."

previous from 10 to 50 per cent. of trees had been tapped in excess of the number for which licenses had been issued. Government approved of the recommendation, but finding that it was unpalatable to the owners of the gardens, directed that the duty should still be levied from the Bhandari, but that no license should be granted except on the security of the owner of the trees. In 1843 orders were issued that 120 trees should in future be the minimum for which a license should be issued. In 1844 the attention of Government was drawn to the great increase in the number of date-tree plantations which had sprung up since the removal of the restriction on the distillation of the juice of these trees in 1833; and considering it necessary that the progressive increase of these plantations should be checked, directed the Collector of Bombay to revert to the plan that obtained prior to 1833 and to refuse licenses for tapping date trees, unless the applicants bound themselves not to dispose of the juice for distillation. On the representation of the Collector however Government modified their order, and directed that the number of date trees licensed in each estate should be reduced 10 per cent. yearly, and that licenses should be withheld in the case of trees in gardens not properly looked after. This order was vigorously opposed by the owners of the gardens, and in 1848 Government, considering the grounds for the imposition of the restriction insufficient, cancelled their former order. During the next ten years little alteration was made, except that the minimum number of trees for which a license was issued was raised as follows :—cocoanut trees 150, brabs in Mahim 300 and elsewhere 150, date trees 850.

The need of an Act to put the liquor excise in Bombay on a good footing had for some years engaged the attention of Government. Accordingly Act XVII of 1859 was passed. By it the prevailing system was not interfered with, but the hands of the executive were strengthened to punish illicit distillation and generally to enforce rules which up to that time had only the sanction of custom. The rates were doubled, and the minimum of trees qualifying for a still was reduced to 50.

The Bhandaris at first passively opposed the increase, chiefly at the instigation of the owners of the trees, but the strike ceased on Government making it clear that they had no intention of yielding.

The working of the Abkari system in Bombay in the year 1870 is thus described by Major Laughton, then Superintendent, Bombay Revenue Survey :—

"The collection of the revenue is made monthly and paid by the Bhandaris direct to the Head Inspector at the Collector's office. No license is granted unless 50 or more trees are taken up[1]. The licenses are given on the 1st August. Each license includes one still. Every Bhandari is obliged by the end of July to inform the Inspector of his district, which and how many trees he intends taking up the next year. The Inspector makes his report to the Collector, and on the license being granted he marks upon the wall of the oart the number of the license and the number of trees in the same oart under that license, *e.g.*, $\frac{58}{100}$.

"The Bhandari pays Government for each cocoanut or brab tree 8 annas per mensem, and 1 rupee per annum for each date tree. Should any of the cocoanut trees run dry during the year, he can change them for others upon informing the Inspector, and he is not required to pay anything extra. Should however a brab tree run dry, which it generally does after about four months, he is still required to pay for the number he took up at first until the end of the year, as well as 8 annas per mensem for every extra brab tree taken up ; thus a man taking up 50 cocoanut trees will only have to pay 25 rupees for the year, even if he changed the whole of them during that time ; but should he take up a like number of brab trees he would have to pay 25 rupees for them, and an extra 8 annas per mensem for every other tree taken up until the end of the year. In like manner the date trees.

"As soon as the licenses are granted, the Inspector of the division, or portion of the division, paints out the old number on each tree and wall, and re-numbers those under

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[1] This was increased to 100 cocoanut and brab and 300 date trees in 1877, causing a decrease in the number of stills.

the new license consecutively, finishing off by painting the number of the license on the wall, and the number of trees under that license in that oart, as aforementioned. Should any of his trees run dry, the Bhandari informs the Inspector, who satisfies himself of the fact, paints out the number on the tree, and applies the same number to another tree, reporting the circumstance to the Head Inspector. If a Bhandari is caught drawing toddy from an unnumbered tree he is fined by the Police Magistrate, and half of the fine goes to the peon or Inspector, whoever first discovered the delinquency. The Inspector is supposed to visit all the oarts in his division at least once a day, his peons and patrols being continually on the alert. The rates paid to the fazindar are various—cocoanut trees running 3 to the rupee, brab about 1½ each, and date about 2 rupees. There are so very few purely Government trees that I make no mention of such beyond that double rates are paid on them. Trees on free lands (of which also there are very few) are numbered and charged for in the same manner as above, but the whole of the collection goes to the inamdar. There is little or no spirit made from the toddy obtained from the date trees, this is drunk raw, simply as toddy. The spirit obtained is from cocoanut and brab; the first distillation is called *rasi*, and the second distillation is called *phenne*. The first sort sells for about 6 rupees the half maund of 25 seers (it was but lately 3), and the second at 12 rupees for the same quantity which used to sell at 7 rupees." The income derived from license-fees, distillery fees and still-head duty was about 41¾ lakhs in 1871-72.

This system continued until 1875 when certain reforms in excise revenue and administration were introduced. By the Tariff Act of that year the Customs duty on imported spirits was raised from Rs. 3 to Rs. 4 per gallon. The town duty on imported spirits imposed in 1870 for the benefit of the Municipality was raised from annas 2 to annas 4 per gallon in 1875. The rates of tree-tax were also raised to 7 and 2 rupees per cocoanut and date-tree respectively. The still-head duty was one rupee.

The changes made in the rates of duties from 1870 are shown in the following table on the next page.

	1870	1873	1875	1876	1878		1880	1884	1909
Town duty on spirits imported : per gallon; Annas	(*a*) 2	2	4	4	4	4	4	4	4
Still-head duty on Uran liquor Rs.	(*b*) 1	(*c*) 1	1	$1\frac{3}{4}$	$2\frac{1}{4}$	$2\frac{1}{4}$	$2\frac{1}{4}$	(*d*) $2\frac{3}{4}$	Still-head duty. 4
Tree Tax—									
Cocoa-nut and brab each tree per annum Rs.								Still-head duty.	Still-head duty. (*e*)
Date ...Rs.	6	6	7	9	12	15	18	$2\frac{3}{8}$	3
	1	1	2	3	4	5	6		$1\frac{1}{2}$

(*a*) In 1827, the town duty was annas 4 on the produce of Salsette, Caranja, and Fort William, and for other places annas eight.

(*b*) For London proof special.

(*c*) For Spirit 25° U. P.

(*d*) Rates of still-head duty in 1888 were—

Rs. 2-12-0 ... 25° U. P.
Rs. 1-4-0 ... 60° U. P.

(*e*) Plus tree-tax Rs. 12 and Rs. 6 for cocoanut (including brab) and date respectively.

The enhancement of the rates of duty greatly stimulated illicit distillation and other practices and checked consumption. As explained above, a tree-tapping tax was levied and the tappers were allowed to manufacture spirit from the juice. In the absence of control, they manufactured at a high strength and this spirit competed unfairly with the duty-paying mhowra spirit from Uran. Accordingly the tree-tax was raised and a limit was placed on the number of stills which reduced them in 1877 to 242 as against 500 (the former average number) ; and eventually in 1872 two enclosures were erected at Chaupati and Dadar, within which the distillers were required to place their stills. In 1879 the sale of toddy by licenses was restricted to persons licensed to retail the same and the right of collecting the revenue was purchased by Government from the Municipality for an annual compensation of

Rs. 1,43,750.[1] In 1884 the tree-tax was abolished and a still-head duty was levied at the rate of Rs. 2-6 per gallon.[2] This measure was stoutly opposed by the fazindars and Bhandaris and was followed by a strike among the Bhandaris who refused to take out any tapping licenses for 1884-85.[3] The strike continued throughout the year, the only license taken out being one by a Parsi for tapping 200 brab trees, and in consequence arrangements were made for the manufacture of toddy from Government brab trees near Bassein, which was exported thence for sale in Bombay. Another result of the strike was an increased importation of mhowra spirit from Uran.

At the present date (1909), the Abkari administration and the collection of excise revenue are conducted by the Collector of Bombay under the control of the Commissioner of Customs, Opium, Salt and Abkari and subject to the provisions of Bombay Abkari Act V of 1878, and the Government orders thereunder. The Collector is assisted by an Assistant Collector of Excise, who belongs to the Uncovenanted Civil Service.

The principal items of excise revenue in Bombay are :—

	1880-81.	1890-91.	1900-01.	1908-09.
I. Foreign liquors—				
(*a*) License fee...	66,466	68,433	98,855	1,33,501
(*b*) Duty at Tariff rates.		23,202	1,727	390
II. Country liquor—				
(*a*) Still-head duty.	9,36,762	15,92,578	18,55,131	25,30,927
(*b*) License fee for retail sale	1,53,623	3,00,237	4,72,471	7,71,317
(*c*) Tree tax. ...	3,05,594	1,86,534	1,58,326	1,84,378
(*d*) Rent of Govt. Toddy-trees.		188	469	954
III. Hemp drugs—				
(*a*) Duty. ...	542	...	...	1,80,614
(*b*) License fee ...	13,624	39,931	83,636	32,180
IV. Miscellaneous...	1,802	1,309	1,095	2,356
Total ...	14,78,413	22,12,412	26,71,710	38,36,617

[1] The right of licensing the shops was vested in the Justices of the Peace in 1793, and was transferred to the Municipality on the establishment of the latter.

[2] This measure had been recommended in 1877.

[3] There had been a previous strike in 1876, when the tree tax was raised. It continued till 31st July 1877.

The revenue from country liquor which forms by far the most important item is obtained from licenses and still-head duty on spirits imported from Uran and issued from the Dadar distilleries. The excise system in Bombay is known as the public or private distillery still-head duty and license fees system. Under this the manufacture of country spirit is separated from sale and there is no monopoly of either. The number of shops for the sale of country-spirit is fixed, and the vend licenses are disposed of either by auction or on payment of fees assessed periodically by the Collector on the basis of actual sales. The vendors are at liberty to procure their liquor, on payment of the prescribed rates of still-head duty, from any of the private spirit distilleries at Uran or from the public toddy distillery at Dadar. There are no restrictions in regard to maximum price. The rates of duty are Rs. 1/8 per gallon of toddy spirit of 60° U. P. and Rs. 3 per gallon of 25° U. P. Liquor is issued at two fixed strengths from the distillery, *viz.*, 25° U. P. and 60° U. P. The duty per gallon of Uran spirit of 25° U.P. is Rs. 4 to be increased or decreased *pro rata* according to the strength. Uran liquor for consumption in Bombay city is being issued in 3 fixed strengths only, *viz.*, 20° U. P., 25° U. P. and 60° U. P.

The minimum license-fees and the number of licenses for the privilege of selling (*a*) foreign liquors and Indian-made liquors at tariff rates, (*b*) country spirit, (*c*) toddy, (*d*) intoxicating drugs, and (*e*) opium at shops are given in Appendix II at the end of the Chapter.

The number of licenses, particularly for the sale of country liquor by retail is being gradually reduced, and care is always taken to consult local needs and opinion before a new liquor-shop is opened. Duty is levied on all spirits and wines from Shahjahanpur imported for consumption in any part of the Bombay Presidency, on all perfumed spirits manufactured by Messrs. Buna and Co. of Navsari, and on spirits of wine imported from Uran into the city. The passes for transport are granted by the Collector of Bombay. The collections under this head amounted to Rs. 277 in 1908-09 and it is estimated that the whole of the amount imported was consumed in

Bombay. The still-head duty on mhowra from the Uran distillery is Rs. 4 per gallon of 25° U.P., excluding annas four payable to the Bombay Municipality as octroi duty. The still-head duty on toddy spirit issued from the Dadar distillery is Rs. 3 and Rs. 1-8 per gallon of 25° and 60° U.P. respectively. These rates together with the incidence of the tree-tax on toddy distilled into spirit equal the rates fixed for mhowra spirit. The incidence of taxation is higher than in any other part of the Presidency. But the consumption though it is now decreasing is higher than elsewhere. The tax upon trees tapped for distillation and for the sale of toddy at shops is Rs. 12 for cocoanut palms, Rs. 12 for brab palms, and Rs. 6 for date palms. To those who possess their own stills distilling licenses are granted free, but those who use other persons' stills have to pay 8 annas for each day on which they make use of the stills. The privilege of drawing toddy from Government toddy trees is annually disposed of by auction, usually in October.

The rates of duty now levied on hemp drugs are Rs. 4 per ser for *ganja*, annas 8 per ser for *bhang*, Rs. 6 per ser for *charas* and annas 4 per ounce for extract of *Cannabis Indica*. *Ganja* is imported either from the central warehouses at Ahmednagar and Satara or from the Central Provinces, *bhang* from the Punjab or United Provinces, and *charas* from the Punjab. There is a bonded warehouse for their storage. Licenses for the retail sale of hemp drugs and opium are sold by public auction. *Balgolis* or infants' opium pills are permitted to be manufactured and sold at certain specified shops. Opium is not grown in the Bombay Presidency. The Malwa opium, which is the quality most largely imported, is first deposited in the warehouse and is then removed to shops for local consumption on payment of a fee of Rs. 700 per chest. A regular export of opium from Bombay to China has been in existence for many years.

Tobacco. Revenue.

From the earliest period of British rule in Bombay, Government appear to have derived a revenue from tobacco. In 1668, for example, the "estanque of Tobacco" (*i.e.*, tobacco-farm) was declared to be worth

12,000 *pardãos* a year,[1] while Henry Gary was stated to have raised the proceeds of the farm from 6,000 to 9,550 Xeraphins a year.[2] In 1669 the value of the tobacco-farm rose to 11,620 Xeraphins [3] and by 1675 it had again increased to 20,300 Xeraphins a year. [4] In 1720 the company put the farm up to auction and obtained Rs. 20,105 from one Pasquel Baretto, while in 1733 it was farmed to Bhikhu Sinay (Bhiku Shenvi) for three years at Rs. 28,200 a year, and in 1745 to Savaji Dharamsett, Maneckji Naoroji and Dhanji Gopal jointly for Rs. 40,000 a year.[5] During this period tobacco was largely shipped to Bombay from Surat, and was sold on the island by the farmers at "10 bujeruks the *tola* of 32 *vals*," after paying an import duty of 9 per cent. Among other articles of the contract of 1736 it is interesting to note that "when the Sidi's fleet may arrive in ports belonging to this island, the said renters shall have liberty to make search on board them and all tobacco found shall be shut up in a·warehouse under their key, whilst the said fleet mey remain here. The people belonging to the fleet shall be obliged to buy from the aforesaid farmers all tobacco they require for their use, and at their departure any tobacco so deposited shall be redelivered to them"; also that "in case of war or any enemy invading the island, a general drought, storm or other public calamity (which God forbid), the Honourable Company shall make the said farmers such reasonable abatement as shall be judged adequate to their loss." In 1773 the people of Mahim submitted a petition that the tobacco imported by the farmer was of very inferior quality, and Government therefore inserted in the farm contract of that year a provision for the examination of all imported tobacco by their customs officials, and for the inspection of retail shops and the hearing of appeals by the Collector or Customs Master of Bombay or Mahim. In spite of this,

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[1] Court to Surat, March 27th, 1668.

[2] Gary to Lord Arlington, 12th December 1667.

[3] Deputy Governor to Surat, March 17th, 1668-69.

[4] Aungier to Deputy Governor, September 28th, 1675.

[5] Bombay Gazetteer Materials, III, 363-66. See *ibid* p. 365 for detailed articles of agreement between the farmer and Government.

the farm was sold for three years for Rs. 88,600 a year.[1]

The following table shows the details of the tobacco revenue between 1748 and 1778:—

Year.	Rent.	Year.	Rent.	Year.	Rent.
	Rs.		Rs.		Rs.
1748	45,700	1760	67,300	1773	88,600
1751	46,760	1763	75,200	1775	52,100
1754	48,205	1767	68,000	1778	61,400
1757	56,001	1770	80,000		

In 1797 and again in 1800 Government issued regulations relating to the levy of duty on tobacco,[2] and stated in the preamble of the latter (Regulation X of 1800) that "the United East India have from a long time past derived a public revenue from the tax imposed on the sale of tobacco for the use and consumption of the inhabitants of this Presidency; and it has been the usage of the Government of this island from the earliest times to let the said revenue to farm, and sundry rules and orders have been established from time to time by authority of the Governor in Council for the management of the farm of the said revenue." This doubtless refers to the Regulation of 1797 and to earlier enactments of which no trace now exists. In a book of indentures, commencing with the year 1800, are two deeds, one dated October 25th, 1803, and the other October 29th, 1806, both granting to one Raghunath Dadaji the right to collect the tobacco revenue on payment annually of Rs. 1,46,400. This farming system lasted until the 31st October 1810, after which the control was transferred to the Collector of Customs. The rates of duty levied, irrespective of the 3½ per cent. customs import duty, were as follows :—

On tobacco, including snuff..Rs. 31/8 per Indian maund.
On ganja[3] ... ... ,, 261 ,, ,, ,,
On foreign manufactured
snuff ... ... ,, 1 per lb.

[1] Bombay Gazetteer Materials, III, pp. 498-500.

[2] Collector's Diary XXXII.

[3] Ganja was treated as a kind of tobacco from 1800 to the introduction of the Bombay Abkari Act in 1878. In 1838 the duty on ganja was assimilated with that on tobacco and reduced from Rs. 261 to Rs. 9 per Indian maund.

In 1825 the duty on tobacco was reduced from Rs. 31½ to Rs. 15 per Indian maund and by Regulation XXI of 1827 a further reduction to Rs. 9 per Indian maund was effected. Regulation XV of 1828 lowered the duty to Rs. 1½ per maund in places other than Bombay. In February 1831 the farming system was re-introduced and continued till 1851.

The Tobacco duty was in Act I of 1838 styled "Special Abkari Duty." In 1848 Government authorized the abolition of the excise duty on the importation or the exportation of tobacco by sea at the subordinate ports. By Act XXIV of 1850 the special duty was fixed at Rs. 7½ and the customs duty at Re. 1½ per Indian maund. The special duty has since remained at Rs. 7½ per Indian maund, while the customs duty has been changed to an *ad-valorem* duty of 5 per cent. under the Indian Tariff Act. In 1857 Act IV, an Act "to amend the law relating to the duties payable on tobacco and the retail sale and warehousing thereof in the Town of Bombay" was passed. That Act has since remained in force without undergoing any material change.

The collections from the special tobacco duty originally formed a portion of the Imperial Revenue. In 1857 the proceeds were made over to the Board of Conservancy as a state contribution, but this arrangement was discontinued at the close of the official year 1858-59, in consequence of an impression prevailing that the Act contemplated the absolute and unconditional surrender to that Board of the special duty on tobacco. This action of Government was approved by the Secretary of State for India. To the end of 1865 the revenue derived from this tax was credited to Government. In November of that year the Bench of Justices renewed their application for the transfer of the proceeds of the special duty on tobacco to themselves, and being supported by the Government of Bombay the revenue was restored to the Municipality by the Government of India with effect from the 1st January 1866. The control of the Department has since rested with Government while the revenue has been handed over to the Municipality. It has always been recognized

as a state contribution towards the Municipal funds and can be withheld at any time.[1]

The Tobacco Department is regulated by Act IV of 1857 which is applicable only to the Town and Island of Bombay. Merchants are allowed to warehouse their tobacco on importation, if they do not clear it direct for home consumption. The warehouses belong to the Port Trust, are rented direct by the merchants, but are controlled by the tobacco department, the controlling staff consisting of a supervisor, 4 clerks and 22 peons. The supervisor is responsible for the collection of duty and for the correct weighment of all tobacco passed from the warehouses into the town. For the prevention of smuggling of tobacco into the island, a staff consisting of 4 Inspectors and 50 peons is employed. The Inspectors enquire into applications for new licenses, and for removal of licensed shops, make investigations about the smuggling of tobacco, patrol the northern foreshore and railway stations and examine accounts of the country tobacco shops. The peons are stationed at the railway stations and at Varli, Mangalwadi, Mori, Dharavi, Dubba and Sion chaukis on the northern foreshore of Bombay. The preventive and warehouse staffs are under the control of the Assistant Collector of Excise, who is directly responsible to the Collector of Bombay.

Up to the year 1813-14 there was a gradual increase in the revenue from tobacco, and from 1814-15 to 1816-17 a sudden decrease, due to smuggling and the inability of the department to cope with it. This led to the passing of Regulation VII of 1817. From that year up to 1823-24 the revenue tended to expand, but subsequently decreased and continued to do so till 1830-31, when the farming system was re-introduced. The decline was partly due no doubt to the reduction in the rate of duty in 1825 and 1827. The amount received from the farmers varied from Rs. 70,000 to 1½ lakhs a year. In 1852 Government again assumed direct management of the tobacco revenue. The gross revenue, when the tax was made over in 1856, amounted to Rs. 1,01,584. In 1865-66 the gross revenue

[1] Bombay Government letter No. 146 of 19th January 1886. Government of India letter No. 3130, dated 31st October 1866.

had risen to Rs. 1,40,853, and in 1878 to Rs. 1,80,000. During the year 1908-09 the gross revenue was 3·3 lakhs and the net revenue 3·1 lakhs.

The following table gives details of the tobacco revenue in Bombay city and island from the year 1811-12 to 1908-09:—

	Gross Collections.	Cost of Establishment.	Nett Collections.
	Rs.	Rs.	Rs.
Tobacco revenue collected under Govt. management.			
1811-12	82,502	6,597	75,905
1815-16	1,06,311	10,464	95,847
1820-21	1,44,049	3,636	1,40,413
1825-26	80,063	3,768	76,295
Tobacco Revenue farmed on the 1st February 1831.			
1831-32	70,000	......	70,000
1835-36	70,000	......	70,000
1840-41	82,000	......	82,000
1845-46	1,03,000	......	1,03,000
1850-51	88,393	......	88,393
Government management.			
1861-62	......	......	1,12,183
1870-71	1,47,399	7,422	1,39,977
1880-81	1,61,114	15,705	1,45,409
1890-91	2,00,532	20,457	1,80,075
1900-01	2,42,364	25,384	2,16,980
1908-09	3,37,861	28,069	3,09,792

The income-tax was first levied in Bombay in the year 1860-61 under the provisions of Act XXXII of 1860. The tax was levied to relieve the financial difficulties which beset India after the Mutiny, and was imposed upon all incomes exceeding Rs. 200 per annum, including incomes derived from agriculture. The rate was 2 per cent. on incomes between Rs. 200 and Rs. 500 and 3 per cent. on large incomes with an additional one per cent. to be used for local public works. In 1862 the minimum taxable income was raised to Rs. 500. The tax produced on the average 15 lakhs a year in Bombay.

Income-Tax.

This Act ceased to operate in 1865, but its place was taken in 1867 by a new Act imposing a tax on professions and trades, which produced annual profits of not less than Rs. 200. The total collections in Bombay amounted to

4·2 lakhs. In 1868-9 some relief was given under a new Act by which the minimum assessable income was raised to Rs. 500, and the fixed rates were reduced to 1 per cent. on the minimum income of each class. The tax at that date produced nearly 6 lakhs in Bombay. Towards the close of 1869 the assessment was raised by 50 per cent. and yielded more than 11 lakhs in 1869-70. In 1870 the rates were again raised to about $3\frac{1}{8}$ per cent. on the minimum of each class up to Rs. 2000, an exact $3\frac{1}{8}$ being levied on incomes above that limit. The enhanced rates produced $17\frac{3}{4}$ lakhs. In 1871-72 the minimum taxable income was raised to Rs. 750 and a general rate of 2 pies in the rupee was levied, the fixed rates on incomes below Rs. 2000 being abandoned. In these circumstances the tax yielded Rs. 5,57,000. In the year following the taxable limit, was raised to Rs. 1000 and the collections fell to Rs. 5,24,000.

In 1873-74 the tax was once more abolished and was not re-imposed until 1877-78. In 1878-79 the License-Tax, (Act III of 1878) was promulgated with the object of permanently increasing Provincial revenues which barely sufficed to meet the necessary expenditure on recurring famines. The Act laid down that companies registered under the Indian Companies' Act of 1886, bankers, brokers, manufacturers, commission-agents, contractors, hotel-keepers, money-changers, ship-owners, owners of conveyances plying for hire, and all persons carrying on trade or industry of any kind, should take out licenses on payment of fees divided into fifteen different classes.[1] Traders earning less than Rs. 100 a year were exempted from the operation of the Act, and this exemption was further extended by an amending Act, VII of 1880, to traders earning less than Rs. 500 a year. The Act was administered by the Collector of Bombay until February, 1879, when a special officer, Mr. Dosabhoy Framji Karaka, C.S.I., was placed in sole charge of the department. In 1878-79 and 1879-80 the total collections in Bombay amounted respectively to Rs. 4,11,000 and Rs. 4,33,000, and the number of assessees 25,241 and 26,641. The changes

[1] The lowest fee was Rs. 2 in class XV and the highest Rs. 200 in class I.

introduced in 1880 lessened the proceeds and the number of assessees. The former varied between Rs. 3,81,000 and Rs. 4 20,000 and the latter between 9,858 and 10,649. The license tax was in 1886 converted into a general income-tax by Act II of 1886. A new post of assistant to the Collector of Income-Tax was created, and a commission of 2 per cent. was granted to non-officials, who might undertake to collect the tax from their employés. Since that date the chief events in the administration of the Act have been the enhancement of the minimum assessable income from Rs. 500 to Rs. 1,000 a year in 1903, and the reorganization of the department in 1905. The assistant to the Collector of Income-Tax was included in the cadre of Deputy Collectors, and the post of Examiner of Accounts was created in lieu of the old post of Personal Assistant to the Collector. At present (1909) the Income-Tax Department is divided into two branches, the in-door and out-door, of which the latter is under the direct supervision of the Deputy Collector, and comprises 7 inspectors and bailiffs. The latter are responsible for surveying and recovering dues in the seven wards into which the city is divided for income-tax purposes. The in-door establishment comprises an Examiner of Accounts and 28 clerks. An appeal from the decisions of the Collector of Income-Tax lies to the Collector of Bombay as Income-Tax Commissioner.

The progress of the tax between 1886-87 and 1908-99 is shewn in the following table :—

(*In Thousands of Rupees.*)

	1886-7.	1890-1.	1895-6.	1900-1.	1905-6.	1908-9.
Collection ...	14,06	17,27	19,81	17,88	20,42	28,19
Charges ...	40	41	43	51	66	79

The number of assessees in 1886-87 were 20,715, in 1902-03 it was 32,684. Since 1903-04 it has varied between 18,500 and 20,000.

The levying of stamp fees was first introduced into Bombay under Regulation XIV of 1815, which provided for the imposition of fees on certain classes of documents, Stamp Revenue.

such as bonds, promissory notes, leases, mortgages and assignments of immoveable property. In 1827 a new Regulation XXVIII was passed which provided for the establishment of a Stamp Office in charge of a Superintendent of Stamps, who was also entrusted with the work of distributing and issuing stamps both to mofussil offices and to vendors in the city. This regulation was supplemented by Regulations III of 1828, VIII of 1830, III and XIV of 1831. Finally, after various enactments between 1860 and 1867, the present Court-Fees Act of 1870 was promulgated, while the Stamp Act XVIII of 1869 superseded all previous laws regarding stamp duties other than court-fees. This Act of 1869 was in its turn repealed by Act I of 1879 and by Act II of 1899, which *inter alia* provides for the cancellation of stamps, the fixing of rates of exchange for foreign currencies, and for refunds of excess duty. The duty on sea insurance and fire insurance policies is tenable under an amending Act V of 1906.

The Stamp Department is under the control of the Collector of Bombay as Superintendent, the direct management of the General Stamp Office being vested in an Assistant Superintendent. Among the various classes of stamps in use are judicial stamps, both adhesive court-fee labels and impressed court-fee papers, which are issued for sale to vendors at the various courts of the city and are also sold to the public for cash; non-judicial stamps, including foreign bill, notarial stamps, *hundi* stamps, etc., which are sold to the public and licensed stamp-vendors ; adhesive stamps impressed at the General Stamp Office on conveyances, mortgages, leases, bonds, powers-of-attorney and other such documents; postage stamps, and postal service stamps. All the various classes and denominations of stamps and stamped papers are manufactured and printed in England by Messrs. De la Rue & Co., and are supplied from time to time on indents annually preferred to the Director-General of Stores at the India Office. On arrival in Bombay they are stored in strong rooms, and are divided into three categories :—the reserve, open reserve and current stock, the last-named being in charge of a storekeeper. The revenue from stamps varies in the

case of judicial stamps according to the amount of litigation in the High Court and Small Cause Courts, and of probates and estates duties; and in the case of non-judicial stamps it depends upon the general state of the mercantile, share and finanical markets.

The following table shows the receipts of stamp revenue in Bombay City in thousands of rupees since 1875-76 :—

Year.		Judicial Stamp Receipts.	Non-Judicial Stamp Receipts	Total Receipts.
		Rs.	Rs.	Rs.
1875-76	...	5,42	5,73	11,15
1880-81	...	5,14	6,64	11,78
1885-86	...	6,22	7,50	13,72
1890-91	...	8,84	9,33	18,17
1895-96	...	9,82	10,16	19,98
1900-01	...	10,50	10,04	20,54
1905-06	...	10,84	15,46	26,30
1908-09	...	11,94	12,97	24,91

The first registration law in force in Bombay was Regulation 9 of 1827 which required all deeds relating to real property to be registered,[1] the superintendence of the registers being vested in the Senior Assistant Judge. This was followed by India Act I of 1843, India Act IV of 1845 and India Act XVIII of 1847. Finally the whole law of registration was repealed by Act XVI of 1864, for carrying out the provisions of which six registering officers, including a Registrar, were appointed to the island of Bombay. This Act was again amended by Act IX of 1865, and was subsequently repealed by Acts XX of 1866 and XXVII of 1868, which in their turn were cancelled by Act VIII of 1871 and Act III of 1877. The latter Act was in force till 1908 when the revised Act XVI of 1908 was introduced. Up to 1866 the Registration Department Registratio

[1] Some form of registration appears to have existed in Bombay island in 1716.

was treated as a branch of the Judicial Department, but was from that date transferred to the Revenue Department of Government; and out of the five Sub-Registrars' Offices in Bombay three were abolished in 1868, 1873 and 1879, leaving two offices only, which were situated in the Fort and Mandvi. The average annual revenue from registration for the six years ending 1871-72 was Rs. 33,572. In 1886 these two offices were amalgamated under one Joint Sub-Registrar, and the city was formed into one district and sub-district in the following year.[1] Prior to this amalgamation the Sub-Registrar in the Fort acted as Registrar for the whole of the island; but since 1888 appellate powers have been vested in the Collector of Bombay as Registrar, while the Sub-Registrar performs all the functions of Registrar, save that of hearing appeals. The Bombay sub-registry office is directly subordinate to the Inspector-General of Registration for the Presidency, who exercises his control through the Registrar.

The total number of documents registered in 1908 was 4,714 against 3,601 in 1901-02 and 2,890 in 1881-82. The fees collected amounted to Rs. 1,12,000 in 1908 against Rs. 66,000 and Rs. 39,000 in 1901-02 and 1881-82 respectively.

The following table shows the number of documents of different classes registered in Bombay at decennial periods since 1881-82 :—

Year.	Compulsory.					Optional.						Miscellaneous.				Wills.
	Gifts.	Sales.	Mortgages.	Leases.	Other Deeds.	Copies of decrees.	Sales.	Mortgages.	Leases.	Other Deeds.	Sales.	Obligations.	Gifts.	Other Deeds.	
1881-82	27	948	601	427	603	3	33	3	9	44	19	15	0	128	30
1891-92	25	1010	930	332	1083	1	13	3	4	50	13	19	2	61	39
1901-02	28	1123	721	506	916	11	0	1	12	95	10	18	2	121	37
1908	37	1246	979	792	1153	0	0	0	8	186	15	10	4	250	34

[1] Recently it has been decided to create two offices to cope with the heavy work and to afford greater facilities to the public. This order will shortly be brought into force.

Steam Boiler Inspection Fund.

The Bombay Boiler Inspection Fund is administered as an incorporated local fund under the Steam Boiler Inspection Act II of 1891. The act is applicable to all boilers and prime-movers in Bombay, except the boilers of railway companies and marine boilers; and the inspection of boilers contemplated by the Act is performed by a Chief Inspector and six Junior Inspectors, who are under the control of the Collector of Bombay. Of the Inspectors, two are generally, and the rest are occasionally, employed for work within the island. In all questions of a technical character, the Collector takes the advice of the Chief Inspector, and appeals lie from his decisions to a Boiler Commission composed of three members. The working certificates of old boilers are annually renewed, after inspection and in certain cases subjection to a hydraulic test; while in the case of new boilers, both hydraulic and steam tests are applied before a working certificate is granted. Inspection fees vary, according to the horse-power of the boiler, from Rs. 10 to Rs. 40 and amounted in 1908-09 in Bombay island to nearly Rs. 22,530, the number of boilers liable to the provisions of the Act in that year being 1361. The object of the Act may be held to have been realized, as since 1900 only one serious fatality occurred in consequence of the bursting of a stop-valve. The Collector of Bombay is also President of a board of thirteen qualified engineers, of whom six meet a time and who hold quarterly examinations of candidates for engineering certificates under the Act. These certificates are of three classes, the examination for the third or lowest class consisting of a practical *viva voce* test conducted in the Government Dockyard.

APPENDIX I.

Statement showing Growth of Customs Revenue at Bombay since 1800—01.

In thousands of rupees (000s omitted.)

Year.	Rupees.	Year.	Rupees.
1800-01	4,49	1857-58	42,27
1801-02	3,91	1858-59	59,70
1802-03	6,56	1859-60	95,39
1803-04	3,34	1860-61	91,90
1804-05	5,52	1861-62	86,53
1805-06	5,45	1862-63	74,18
1806-07	6,26	1863-64	74,79
1807-08	6,16	1864-65	71,65
1808-09	5,76	1865-66	69,02
1809-10	5,00	1866-67	65,06
1810-11	6,03	1867-68	74,81
1811-12	6,35	1868-69	79,98
1812-13	8,61	1869-70	75,54
1813-14	8,91	1870-71	67,55
1814-15	10,37	1871-72	63,02
1815-16	10,73	1872-73	60,96
1816-17	10,67	1873-74	67,24
1817-18	11,70	1874-75	68,53
1818-19	12,44	1875-76	66,19
1819-20	10,79	1876-77	57,04
1820-21	9,77	1877-78	63,13
1821-22	12,77	1878-79	59,92
1822-23	11,94	1879-80	56,14
1823-24	11,08	1880-81	72,07
1824-25	9,20	1881-82	61,88
1825-26	9,94	1882-83	13,12
1826-27	11,87	1883-84	13,58
1827-28	13,02	1884-85	14,06
1828-29	11,32	1885-86	14,60
1829-30	13,18	1886-87	15,34
1830-31	13,08	1887-88	18,81
1831-32	11,18	1888-89	22,16
1832-33	17,99	1889-90	24,32
1833-34	10,88	1890-91	25,15
1834-35	10,60	1891-92	24,41
1835-36	11,79	1892-93	25,83
1836-37	13,56	1893-94	35,06
1837-38	12,26	1894-95	1,40,53
1838-39	13,55	1895-96	1,65,51
1839-40	11,43	1896-97	1,48,19
1840-41	18,90	1897-98	1,55,25
1844-45	21,98	1898-99	1,46,28
1845-46	22,18	1899-00	1,30,01
1846-47	21,33	1900-01	1,41,37
1848-49	17,54	1901-02	1,70,80
1849-50	22,97	1902-03	1,76,09
1850-51	25,19	1903-04	1,79,17
1851-52	23,86	1904-05	1,88,03
1852-53	24,96	1905-06	1,91,64
1853-54	25,79	1906-07	1,94,94
1854-55	28,27	1907-08	2,27,29
1855-56	28,43	1908-09	2,26,12
1856-57	34,14		

APPENDIX II.

List of Licenses issued in Bombay under the Abkari and Opium Acts.

Description of License.	No. of Licenses granted for 1908-09.	Minimum Fee fixed per License.
Foreign Liquors.		Rs.
Hotel Licenses	15	400
Refreshment Room Licenses	41	400
Permanent Refreshment Stall Licenses*	2	100
Temporary Refreshment Stall Licenses	...	5
Wholesale Licenses	79	100
Retail Licenses—		
First Class to be kept open till 11 p.m.	10	500
Second Class to be kept open till 9 p.m.	39	400
Licenses for the Manufacture of Perfumed Spirits by admixture ...	9	1
Licenses for the Manufacture of Perfumed Spirits by Distillation... ...	1	1
Methylated Spirit Licenses	41	50
Country Liquors.		
Wholesale Country Spirit Depôt License...	1	...
Retail Licenses—		
First Class to be kept open till 11 p.m.	40	900
Second Class to be kept open till 9 p.m.	171	700
Pure Mhowra Spirit Licenses	46	500
Pure Toddy Spirit Licenses	37	500
Toddy.		
Toddy Shop Licenses	100	50
Toddy Hawking Licenses	59	10
Distilling Licenses	41	...
Tapping Licenses	353	...
Tree-foot Booth Licenses	100	10
Intoxicating Drugs.		
License for the storage of Hemp Drugs at the Bonded Warehouse ...	7	
License for the Wholesale vend of Hemp Drugs	3	15

* This includes the special license granted in the dining cars attached to the trains running on the G. I. P. Railway Lines, the annual fee for which is Rs. 75. No minimum or maximum fee is fixed for this license.

Description of License.	No. of Licenses granted for 1908-09.	Minimum Fee fixed per License.
Intoxicating Drugs—(contd.)		
License for the Retail vend of Hemp Drugs	49	...
Special license to qualified Medical practitioners for the sale of cocaine.	136	...
License to Chemists and Druggists for the sale of cocaine	27	...
Opium.		
License for the retail sale of Opium.	12	...
Special License to Medical Practitioners for the sale of opium and its preparations	523	...
License for the sale of Bala Golis or Infants' Pills	3	5